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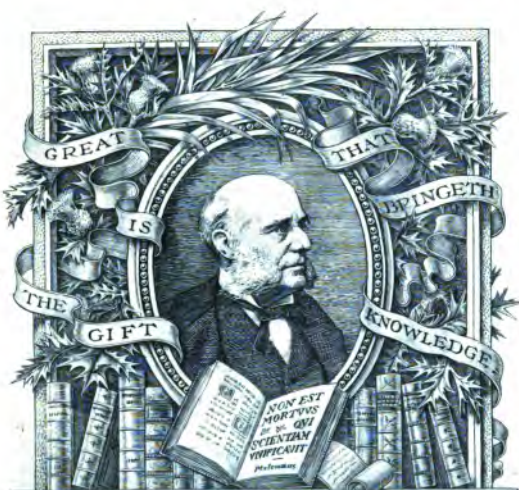
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**JOURNAL**

THE  
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OF

**THE SENATE**

OF THE

**STATE OF SOUTH CAROLINA.**

AT THE

**EXTRA SESSION, NOV. 6, 1848,**

AND

**REGULAR SESSION, NOV. 27, 1848.**

~~~~~  
**COLUMBIA, S. C.**

**A. S. JOHNSTON, PRINTER TO THE SENATE.**

**1848.**

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# JOURNAL

OF THE

## SENATE OF THE STATE OF SOUTH CAROLINA.

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### CALLED SESSION.

---

MONDAY, NOVEMBER 6th, 1848.

At 12, meridian, of this day, the Senators, whose terms of office had not expired, together with those elected at the late general elections for members of the Legislature, convened in the Senate chamber.

On motion of Mr. BLACK, Senator from Richland, the Hon. F. J. MOSES, Senator from Claremont, was called to the chair.

The following Proclamation of his Excellency, the Governor, was then read by the Clerk.

#### EXECUTIVE DEPARTMENT

OF THE STATE OF SOUTH CAROLINA.

*By his Excellency DAVID JOHNSON, Governor and Commander-in-Chief, in and over the State of South Carolina.*

To the Honorable the Senators and Members of the House of Representatives of the General Assembly of the State of South Carolina.

Whereas, by the Constitution of the United States, each State is authorized, in such manner as the Legislature thereof may direct, to appoint a number of Electors of President and Vice President of the United States, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress of the United States; and the time of choosing the Electors, and the day on which they shall give their votes, which shall be the same throughout the United States, was to be determined by Congress;

And whereas, by an Act of Congress, passed and approved on the first day of March, in the year of our Lord one thousand seven hundred and

WIDEN  
1852



ninety-two, it was enacted, amongst other things, that "Electors shall be appointed in each State for the election of President and Vice President of the United States, within thirty-four days preceding the first Wednesday in December, one thousand seven hundred and ninety-two, and within thirty-four days preceding the first Wednesday in December, in every fourth year succeeding the last election;" "and that the Electors shall meet and give their votes on the first said Wednesday in December, at such place in each State, as shall be directed by the Legislature thereof;"

And whereas, the Legislature of this State, by an Act passed on the 3d day of December, in the year of our Lord one thousand seven hundred and ninety-two, did enact that Electors of President and Vice President of the United States shall be appointed by ballot, on the Tuesday preceding Wednesday, the fifth day of December, of the same year, in the House of Representatives, at Columbia, by the Legislature of this State, or by such persons as shall be returned members thereof, and shall attend on that day; and also that the Electors of President and Vice President shall be appointed by ballot on the Tuesday preceding the first Wednesday in December, in every fourth year succeeding the last election, in the House of Representatives, at Columbia, by the Legislature of this State, which shall be then existing, or by such persons as shall be returned members thereof, and shall attend on that day;

And whereas, the Congress of the United States did, by an Act passed and approved on the twenty-third day of January, in the year of our Lord one thousand eight hundred and forty-six, enact "that the Electors of President and Vice President shall be appointed on the Tuesday next after the first Monday of the month of November of the year in which they are to be appointed." The fourth Monday in November of each year being the time appointed by the Constitution of this State for the regular annual meeting of the Legislature, it follows that it will not be in session on the Tuesday next after the first Monday in November next, the time at which the Electors of President and Vice President are to be appointed, according to the Act of Congress before referred to; so that the State will not have it in its power to appoint Electors of President and Vice President, unless the Legislature be especially convened for that purpose.

Now therefore, I, DAVID JOHNSON, in pursuance of the power in me vested by the Constitution of this State, authorizing the Governor, "on extraordinary occasions, to convene the General Assembly," do issue this, my Proclamation, calling upon and requesting the Senators of the General Assembly of this State, whose terms of office have not expired, and those who have been now recently elected, and the Members of the House of Representatives who have also been now recently elected, to convene at Columbia, on the first Monday in November now next ensuing, that they may be present in the House of Representatives on the said Tuesday next

after the said first Monday, to appoint Electors of President and Vice President of the United States, in conformity to the Act of Congress aforesaid, last referred to.

Given under my hand and Seal of the State, at Limestone Springs, in the State aforesaid, the twelfth day of October, in the year of [L. S.] our Lord, one thousand eight hundred and forty-eight, and in the seventy-third year of the Independence of the United States of America.

DAVID JOHNSON.

By the Governor.

B. K. HENEGAN, Secretary of State.

Oct. 13, 1848.

The Clerk then proceeded to call the roll, when the following Senators answered to their names.

|                   |                                   |
|-------------------|-----------------------------------|
| R. F. W. ALLSTON, | <i>Prince George, Winyaw,</i>     |
| M. T. APPLEBY,    | <i>St. George, Dorchester,</i>    |
| JOS. A. BLACK,    | <i>Richland,</i>                  |
| GABRIEL CANNON,   | <i>Spartanburg,</i>               |
| WILLIAM COOPER,   | <i>Williamsburg,</i>              |
| R. DE TREVILLE,   | <i>St. Helena,</i>                |
| W. T. ELLERBE,    | <i>Marlborough,</i>               |
| ALEXANDER EVINS,  | <i>Pendleton,</i>                 |
| T. J. GOODWYN,    | <i>St. Mathews,</i>               |
| N. L. GRIFFIN,    | <i>Edgefield,</i>                 |
| P. C. GRIMBALL,   | <i>St. John's, Colleton,</i>      |
| W. J. HANNA,      | <i>Chesterfield,</i>              |
| JOHN HUGER,       | <i>St. Thomas and St. Dennis,</i> |
| WILLIAM IRBY,     | <i>Laurens,</i>                   |
| F. J. MOSES,      | <i>Claremont,</i>                 |
| ANGUS PATTERSON,  | <i>Barnwell,</i>                  |
| P. P. PALMER,     | <i>St. John's, Berkley,</i>       |
| DAVID WALKER,     | <i>St. Bartholomew's,</i>         |
| JOSHUA J. WARD,   | <i>All Saints,</i>                |
| WM. WILLIAMS,     | <i>Prince William's,</i>          |

A quorum being present, the Clerk proceeded to call the Districts in which elections had recently taken place, when the following Senators appeared at the Clerk's desk; the oaths were administered, and they took their seats, to wit:

|                       |                     |
|-----------------------|---------------------|
| <i>Abbeville,</i>     | J. FOSTER MARSHALL, |
| <i>Chester,</i>       | N. R. EAVES,        |
| <i>Christ Church,</i> | A. HIBBEN,          |

|                                     |                    |
|-------------------------------------|--------------------|
| <i>Darlington,</i>                  | ISAAC D. WILSON,   |
| <i>Fairfield,</i>                   | JOHN BUCHANAN,     |
| <i>Greenville,</i>                  | T. E. WARE,        |
| <i>Horry,</i>                       | JOEL B. SKIPPER,   |
| <i>Kershaw,</i>                     | WM. J. TAYLOR,     |
| <i>Lancaster,</i>                   | DIXON BARNES,      |
| <i>Lexington,</i>                   | PAUL QUATTLEBAUM,  |
| <i>Marion,</i>                      | BENJ. GAUSE,       |
| <i>Newberry,</i>                    | P. C. CALDWELL,    |
| <i>Orange,</i>                      | JOHN M. FELDER,    |
| <i>St. Paul's,</i>                  | BENJAMIN PERRY,    |
| <i>St. James, Santee,</i>           | ALEXANDER MAZYCK,  |
| <i>St. James, Goose Creek,</i>      | JOHN WILSON,       |
| <i>St. Luke,</i>                    | B. G. ALLSTON,     |
| <i>St. Phillip and St. Michael,</i> | W. D. PORTER,      |
| <i>St. Peters,</i>                  | J. D. JOHNSON,     |
| <i>St. Andrews,</i>                 | W. IZARD BULL,     |
| <i>Union,</i>                       | WM. H. GIST,       |
| <i>York,</i>                        | J. D. WITHERSPOON. |

The Senators then proceeded to ballot for President, which terminated in the re-election of the Hon. ANGUS PATTERSON, Senator from Barnwell.

Messrs. MOSES and GIST were appointed a Committee to wait upon the President elect, to inform him of his election, and conduct him to the chair. That duty having been performed, the President took the chair, and returned to the Senate his acknowledgments for the honor conferred.

The Senate proceeded with its organization by the election of the following officers.

WM. E. MARTIN, Clerk;  
 JOHN T. GOODWYN, Reading Clerk;  
 J. D. GAILLARD, Messenger;  
 A. D. GAILLARD, Door Keeper.

On motion of Mr. MOSES, a Committee was appointed to wait upon His Excellency the Governor, to inform him that the Senate had met and formed a quorum, and was ready to receive any communication he might be pleased to make.

Messrs. MOSES and SKIPPER were appointed the Committee.

A message was sent to the House of Representatives, informing that House that the Senate had met, elected the Hon. ANGUS PATTERSON, President; WM. E. MARTIN, Clerk, and JOHN T. GOODWYN, Reading Clerk, and had proceeded to business.

Mr. MAZYCK presented the petition of sundry citizens of St. Luke's

Parish, praying that the election for Senator from said Parish may be set aside—which was ordered to lie on the table.

Mr. MOSES, from the Committee to wait on His Excellency the Governor, reported that the Committee had discharged the duty assigned to them, and that His Excellency had informed them he would communicate with the Senate forthwith.

The Private Secretary of His Excellency then appeared at the Clerk's desk, and read the following message.

EXECUTIVE DEPARTMENT, }  
Columbia, Nov. 6th, 1848. }

*To the Honorable the President and Members of the Senate :*

GENTLEMEN—The promptness with which you have assembled here, out of the ordinary term of your regular annual session, gives assurance that you will enter upon the duty confided to you by your constituents in a spirit suited to the importance and dignity of the occasion. For the agency I have had in calling you together, I do not feel called on to offer any apology, although it may have subjected many of you to inconvenience.

Nothing but an imperative sense of duty could have impelled me to such a measure.

The Constitution of the United States authorises every State in the Union to appoint, in such manner as the Legislature thereof may direct, a number of Electors of President and Vice President of the United States, equal to the whole number of Senators and Representatives to which such State may be entitled in the Congress of the United States, and provides that the time of choosing the Electors, and the day on which they shall give their votes, which shall be the same throughout the United States, shall be determined by Congress.

As the law stood prior to 1845, the Electors to which this State was entitled, were appointed by joint ballot of the Senate and House of Representatives, on the Tuesday preceding the first Wednesday in December in every fourth year succeeding the last election of President and Vice President, and this manner of appointment has been used from the time of the adoption of the Federal Constitution down to the present day. But by an Act of Congress, passed in January, one thousand eight hundred and forty-five, the Tuesday next after the first Monday in the year in which they are to be appointed, is imperatively set apart as the day on which they are to be appointed for every State in the Union. To-morrow is that day, and to enable you to discharge that duty was the object in asking your attendance here—and in this I pray that you may be directed by unerring wisdom.

DAVID JOHNSON.

The message was ordered to lie on the table.

Mr. MOSES presented the petition of John N. Davis, contesting the

seat of the sitting Member from St. James Goose Creek—which was ordered to lie on the table.

On motion of Mr. HUGER, the Senate recessed from business, until half-past 4 o'clock, P. M.

### RECESS.

At the hour to which the Senate had recessed from business, the President took the chair and the Senate resumed business.

On motion of Mr. WITHERSPOON, a special Committee was appointed, on the part of the Senate, to nominate suitable persons for Electors, on the part of this State, for President and Vice President of the United States.

Messrs. WITHERSPOON, MAZYCK, DETREVILLE, GRIFFIN, MOSES, IRBY, HANNA, CANNON, and EAVES, were appointed the Committee, on the part of Senate, and a message was sent to the House of Representatives, informing that House thereof, and asking that House to appoint a similar Committee to meet the Committee of the Senate, on that subject.

On motion of Mr. BARNES, the Senate adjourned.

### TUESDAY, NOVEMBER 7, 1848.

The Senate met at 10 o'clock, pursuant to adjournment.

The Clerk read the journal of the proceedings of yesterday.

Hon. J. L. MANNING, Senator from Clarendon, appeared in his seat in the Senate.

The following message was received from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES, }  
November 6, 1848. }

*Mr. President and Gentlemen of the Senate:*

This House informs Senate that it has met, formed a quorum,—elected J. I. MIDDLETON, Speaker, T. W. GLOVER, Clerk, W. B. LOOR, Reading Clerk, and is ready for the transaction of business.

By order of the House,

J. IZARD MIDDLETON, Speaker.

The following message was also received from the House of Representatives, and was concurred in:

IN THE HOUSE OF REPRESENTATIVES, }  
November 6, 1848. }

*Mr. President and Gentlemen of the Senate :*

This House proposes to Senate, to go into a ballot for Electors of President and Vice President of the United States, to-morrow, at 12 o'clock, Meridian.

By order of the House,

J. IZARD MIDDLETON, Speaker.

The House of Representatives sent to the Senate the following Resolution, which was concurred in, and was ordered to be returned to the House of Representatives :

*Resolved*, That the present session of the Legislature be adjourned on Tuesday, the 7th instant.

The House of Representatives also sent to the Senate, the following Resolutions for concurrence :

*Resolved*, That the presiding officers of each branch of the Legislature, do issue to the Clerks of their respective Houses, a pay-bill for fifty dollars ; and to each of the other officers of each House, a pay-bill for the same pay and mileage as are allowed to the members of the Legislature ; the same to be in compensation for the services of each of the said officers during the present session.

*Resolved*, That the President of the Senate be authorized to issue to the Librarian a pay-bill, for the per diem pay allowed a member, to be a compensation to the said Librarian for his services during the present session.

The Resolutions were concurred in, and were ordered to be returned to the House of Representatives.

The House of Representatives also sent to the Senate the following Resolution, which was concurred in, and ordered to be returned to the House of Representatives :

*Resolved*, That the Clerks of the two Houses do advertise for proposals to execute the printing of the General Assembly, to be laid before the two Houses at the regular session.

The House of Representatives also sent to the Senate the following Resolution for concurrence :

*Resolved*, That the appointment of Electors of President and Vice President of the United States, for the term to commence on the 4th day of March next, be made by ballot of the Legislature of this State, in the Hall of the House of Representatives, at 12 o'clock, Meridian, to-morrow the 7th instant, being the day appointed for that purpose by the Act of Congress, approved the 23d of January, 1845.

The Resolution was concurred in by the Senate, and was ordered to be returned to the House of Representatives.

At the hour of 12 o'clock, the Senate, pursuant to a resolution and mes-



sages to that effect, proceeded to the Hall of the House of Representatives, and joined that House in balloting for Electors to cast the vote on the part of this State, for President and Vice President of the United States.

Messrs. R. F. W. ALLSTON and APPLEBY were appointed a committee on the part of the Senate to count the ballots.

Mr. ALLSTON, from the committee to count the votes, reported.

BENJ. F. PERRY, }  
THOMAS LEHRE, } For the State at large.

1st District, Hon. N. R. EAVES.

2d " " ALEXANDER EVINS.

3d " " JOHN L. MANNING.

4th " " WM. J. HANNA.

5th " " P. C. CALDWELL.

6th " " J. B. CAMPBELL, Esq.

7th " " B. G. ALLSTON.

On motion of Mr. MOSES, a message was thereupon sent to the House of Representatives, informing that House that the Senate had disposed of the business of this session, and is now ready to adjourn the session of the General Assembly.

On motion of Mr. BLACK, it was ordered that the Clerk of the Senate be instructed to give official notice of their election to the gentlemen recently elected Electors for President and Vice President of the United States.

The House of Representatives sent to the Senate the following Resolution, which was concurred in, and was ordered to be returned to the House of Representatives.

*Resolved*, That the Electors of President and Vice President, be informed of their election, through the Clerks of the respective Houses of the Legislature.

The House of Representatives sent to the Senate the following Resolution :

*Resolved*, That the presiding officers of the two Houses be requested to inform his Excellency the Governor, that the Legislature have duly appointed Benjamin F. Perry, Thomas Lehre, N. R. Eaves, Alexander Evins, John L. Manning, William J. Hanna, P. C. Caldwell, James B. Campbell, and Benjamin G. Allston, electors on the part of this State, for the election of a President and Vice President of the United States, for the term to commence on the fourth day of March next.

A message was received from the House of Representatives, informing the Senate that that House had disposed of the business of this extra session, and was now ready to adjourn sine die.

On motion of Mr. GRIFFIN, the Senate adjourned, at 28 minutes after 2 o'clock, P. M.

# JOURNAL

OF THE

## SENATE OF THE STATE OF SOUTH CAROLINA.

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MONDAY, NOVEMBER 27, 1818.

The General Assembly of the State of South Carolina, begun and holden at Columbia the twenty-seventh day of November, in the year of our Lord one thousand eight hundred and forty-eight, being the fourth Monday in November, the day fixed by the constitution for the meeting of the General Assembly.

At 12 Meridian the Senators assembled in the Senate Chamber in the Capital at Columbia. The Hon. ANGUS PATTERSON, Senator from the District of Barnwell and President of the Senate, took the chair, and the roll being called the following Senators answered to their names:

R. F. W. ALLSTON,  
B. G. ALLSTON,  
DIXON BARNES,  
JOS. A. BLACK,  
W. IZARD BULL,  
JOHN BUCHANAN,  
P. C. CALDWELL,  
GABRIEL CANNON,  
WILLIAM COOPER,  
R. DETREVILLE,  
N. R. EAVES,  
W. T. ELLERBE,  
ALEXANDER EVINS,  
JOHN M. FELDER,  
BENJ. GAUSE,  
WM. H. GIST,  
N. L. GRIFFIN,  
W. J. HANNA,  
A. HIBBEN,  
WILLIAM IRBY,  
J. D. JOHNSON,  
J. L. MANNING,  
J. FOSTER MARSHALL,  
ALEXANDER MAZYCK,  
F. J. MOSES,  
WM. D. PORTER,  
PAUL QUATTLEBAUM,  
JOEL B. SKIPPER,  
WM. J. TAYLOR,

*Prince George, Winyaw.*  
*St. Luke.*  
*Lancaster.*  
*Richland.*  
*St. Andrews.*  
*Fairfield.*  
*Newberry.*  
*Spartanburg.*  
*Williamsburg.*  
*St. Helena.*  
*Chester.*  
*Marlborough.*  
*Pendleton.*  
*Orange.*  
*Marion.*  
*Union.*  
*Edgefield.*  
*Chesterfield.*  
*Christ Church.*  
*Laurens.*  
*St. Peter's.*  
*Clarendon.*  
*Abbeville.*  
*St. James, Santee.*  
*Claremont.*  
*St. Phillip and St. Michael.*  
*Lexington.*  
*Horry.*  
*Kershaw.*

WM. WILLIAMS,  
JOHN WILSON,  
ISAAC D. WILSON,  
J. D. WITHERSPOON,

*Prince William's.*  
*St. James Goose Creek.*  
*Darlington.*  
*York.*

The President announced that a Quorum was present and the Senate proceeded to business.

Mr. MAZYCK announced that the Hon. JOHN S. PALMER, Senator elect from St. Stephen's Parish, was in attendance and ready to qualify, whereupon the Senator appeared at the Clerk's desk, and presented his credentials, the oaths were administered and he took his seat.

On motion of Mr. MOSES, the rules of the last Senate were adopted for the government of this body.

The President announced the standing Committees of the Senate as follows:

*On Privileges and Elections.*

|                 |        |
|-----------------|--------|
| Messrs. MAZYCK, | EVINS, |
| MOSES,          | HANNA. |
| GIST,           |        |

*On Federal Relations.*

|                   |              |
|-------------------|--------------|
| Messrs. MANNING,  | WITHERSPOON, |
| ASHE,             | PORTER.      |
| R. F. W. ALLSTON, |              |

*On Finance and Banks.*

|                   |                  |
|-------------------|------------------|
| Messrs. BUCHANAN, | ELLERBE,         |
| FELDER,           | ISAAC D. WILSON. |
| ASHE,             |                  |

*On the Judiciary.*

|                |                   |
|----------------|-------------------|
| Messrs. MOSES, | DE TREVILLE,      |
| GIST,          | BENJ. G. ALLSTON. |
| MAZYCK,        |                   |

*On Accounts and Vacant Offices.*

|                |          |
|----------------|----------|
| Messrs. BLACK, | SKIPPER, |
| WALKER,        | EVINS.   |
| COOPER,        |          |

*On Claims and Grievances.*

|                 |        |
|-----------------|--------|
| Messrs. PORTER, | EAVES, |
| WILLIAMS,       | GAUSE. |
| CALDWELL,       |        |

*On the Military and Pensions.*

|                |       |
|----------------|-------|
| Messrs. HANNA, | BULL, |
| BARNES,        |       |
| MARSHALL.      |       |

*On Incorporations and Engrossed Acts.*

|                  |       |
|------------------|-------|
| Messrs. GRIFFIN, | WARE, |
| IRBY,            |       |
| HIBBEN.          |       |

*On the College, Education and Religion.*

|                           |           |
|---------------------------|-----------|
| Messrs. R. F. W. ALLSTON, | GRIMBALL. |
| MANNING,                  |           |

*On Agriculture and Internal Improvements.*

Messrs. TAYLOR,

WARD,  
CANNON,

HUGER,  
QUATTLEBAUM.

*On Roads and Buildings.*

Messrs. WITHERSPOON,

PERRY, JOHNSON, PETER P. PALMER.

*On the Lunatic Asylum and Medical Accounts.*

Messrs. GOODWYN,

APPLEBY, JOHN S. PALMER, JOHN WILSON.

*On the Legislative Library.*

Messrs. BLACK, PORTER, MAZYCK.

On motion of Mr. WITHERSPOON, a message was ordered to be sent to the House of Representatives, informing that House that a Quorum of Senators had assembled, and that the Senate had been organized, and had proceeded to business.

On motion of Mr. WITHERSPOON, a committee was also appointed to wait on his Excellency the Governor, and inform him that the Senate had met and had been organized, and was ready to receive any communication he might be pleased to make.

Messrs. WITHERSPOON, BUCHANAN and IRBY, were appointed the committee.

Mr. MOSES presented the petition of John Ballard, late Tax Collector for Claremont, praying to be refunded certain interest paid; referred to the Committee on Finance and Banks.

Mr. MOSES also presented the petition of sundry citizens of Sumter, praying the incorporation of the Bradford Springs Female Institute Company; referred to the Committee on Incorporations and Engrossed Acts; and also

The petition of the officers of the Sumter Riflemen, praying for the incorporation of said Corps, which was referred to the same committee; and also

The petition of Willis Ramsay, praying compensation for injury done to him by a public road passing through his land; referred to the Committee on Roads and Buildings; and also

The petition of sundry citizens of Sumter district, praying the repeal of the 12th Section of the Road Act for 1830, which was referred to the same committee.

Mr. MAZYCK presented the return of the commissioners of Free Schools for St. James Santee, for the year 1848, referred to the Committee on the College, Education and Religion; and also

The petition of certain citizens of St. James Goose Creek and St. John's Berkley, praying that a certain road in said Parishes may be established as a public road; referred to the Committee on Roads and Buildings.

Mr. MAZYCK called from the table the petition of sundry citizens of St. Luke's Parish, praying that the election of Senator for said Parish may be set aside, and the petition was referred to the Committee on Privileges and Elections.

Mr. BLACK presented the petition of Thomas Adams, and other citi-

zens of Richland district, praying for the incorporation of the "Palmetto Society;" referred to the Committee on Incorporations and Engrossed Acts.

Mr. BLACK also gave notice, that on Thursday next, he will ask leave to introduce a Bill, providing for the election of Electors of President and Vice President of the United States, by the people.

The President laid before the Senate, proposals from A. S. Johnston, for the printing for the Senate. The communication was referred to a special committee, consisting of Messrs. BLACK, COOPER, and PORTER.

Mr. PORTER presented the petition of the Charleston Bridge Company, praying a renewal of their charter; referred to the Committee on Incorporations and Engrossed Acts; and also

The petition of the Baltimore and Southern Packet Company, praying an Act of the General Assembly, authorizing them to use negroes as stewards, cooks, firemen, engineers, pilots, and mariners, on their steamships, trading between Baltimore and Charleston; referred to the Committee on the Judiciary.

The following message was received from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES, }  
November 27, 1848. }

*To the Honorable the President and Gentlemen of the Senate:*

This House informs the Senate, that it has met, formed a quorum, and is now ready to proceed to business.

By order of the House,

J. IZARD MIDDLETON, Speaker.

Mr. SKIPPER presented the petition and account of F. J. Sessions, Sheriff of Horry district, praying payment for Blankets, furnished for the jail of the district; referred to the Committee on Claims and Grievances.

Mr. JOHNSON presented the petition of A. R. Johnson, praying compensation for a slave executed, which was referred to the same committee.

Mr. WILLIAMS presented the account of W. F. Hogarth, Magistrate, which was referred to the Committee on Accounts and Vacant Offices.

Mr. QUATTLEBAUM presented the petition of citizens of Beat No. 3, upper Battalion of the 15th Regiment, praying a division of said Beat Company; referred to the Committee on the Military and Pensions.

Mr. WITHERSPOON, from the committee appointed to wait on His Excellency the Governor, reported that the committee had performed the duty assigned to them, and that His Excellency had informed the committee that he would communicate with the Senate, by message, at 1 o'clock, to morrow.

Mr. WITHERSPOON presented the return of the commissioners of Free Schools for York District, for the year 1848; referred to the Committee on the College, Education and Religion.

Mr. MARSHALL submitted the presentment of the Grand Jury of Ab-

beville District, Fall Term, 1848, which was read and was referred to the Committee on the Judiciary.

Mr. MOSES presented the account of the Sumter Banner newspaper, for printing; referred to the Committee on Claims and Grievances.

On motion of Mr. MOSES, it was ordered that when the Senate adjourns, it shall stand adjourned to meet to-morrow, at 12 o'clock.

Mr. BUCHANAN gave notice that, on Wednesday next, he will ask leave to introduce

A Bill to incorporate the Fairfield Rifle Guards, and to define the recruiting limits of said Company.

Mr. EVINS presented the return of the commissioners of Free Schools for Anderson District, for the year 1848; referred to the Committee on the College, Education and Religion.

Mr. BULL presented the petition of Timothy W. Harley, praying for the re-charter of a bridge, in St. George's Parish, called Four Hole Bridge; referred to the Committee on Roads and Buildings.

Mr. MOSES presented the report of the Clerk of the Senate, of the examination and arrangement of the Senate papers, under the instruction of the Legislature at the last session.

On motion of Mr. MOSES, it was read and was referred to a Special Committee, and was ordered to be printed.

Messrs. MOSES, IRBY and WILLIAMS were appointed on the committee.

On motion of Mr. HANNA, the Senate adjourned, at 5 minutes to 1 o'clock.

## TUESDAY, NOVEMBER 28th, 1848.

The Senate met at 12 o'clock, pursuant to adjournment.

The Clerk read the journal of the proceedings of yesterday.

### ADDITIONAL MEMBERS.

The Hon. JOHN S. PALMER, Senator from St. Stephen's;

“ JOHN HUGER, “ “ St. Thomas and St. Dennis;  
and “ J. EDWIN WARE, “ “ Greenville,  
appeared in their seats in the Senate Chamber.

The President laid before the Senate a communication from S. Glover, Chairman of a meeting of sundry citizens of Orangeburg, in relation to slavery; which was referred to the Committee on Federal Relations.

Mr. WITHERSPOON submitted the presentment of the Grand Jury of York District, Fall Term, 1848; which was read and was referred to the Committee on Privileges and Elections.

Mr. HANNA presented the return of the commissioners of Free Schools



for Chesterfield District, for the year 1848; which was referred to the Committee on the College, Education, and Religion.

Mr. TAYLOR submitted the presentment of the Grand Jury for Kershaw District, Fall Term, 1848; which was read and referred to the Committee on Privileges and Elections.

Mr. TAYLOR presented the return of the commissioners of Free Schools for Kershaw District, for the year 1848; which was referred to the Committee on the College, Education and Religion.

Mr. BLACK presented the return of the commissioners of Free Schools for Richland District, for the year 1848; which was referred to the Committee on the College, Education and Religion.

Mr. BLACK presented the report of the special committee on Public Printing for the Senate, recommending the adoption of the proposals of A. S. Johnston, Esq., which was ordered for consideration to-morrow.

Mr. JOHN WILSON presented the return of the commissioners of Free Schools for St. James, Goose Creek, for the year 1848, which was referred to the Committee on the College, Education and Religion. Also

The counter petition of sundry citizens of St. James, Goose Creek, against the establishment of a Public Road, which was referred to the Committee on Roads and Buildings.

Mr. JOHN WILSON presented the petition of C. Mims, praying compensation for work done on the State road, which was referred to the Committee on Agriculture and Internal Improvements. Also

A Resolution of the commissioners of Roads in St. James Goose Creek, in relation to the State road, which was referred to the same committee.

Mr. CANNON presented the counter petition of sundry citizens of Spartanburg District, praying that an old road be not closed, which was referred to the Committee on Roads and Buildings. Also

The report of the commissioners of Free Schools, for Spartanburg District, for the year 1848, which was referred to the Committee on the College, Education and Religion.

Mr. JOHN S. PALMER presented the report of the commissioners of Free Schools, for St. Stephen's Parish, for the year 1848, which was referred to the Committee on the College, Education and Religion.

Mr. MOSES presented the petition of sundry citizens of Sumter, for additional remuneration to James Moore, for a slave executed, which was referred to the Committee on Claims and Grievances.

Mr. ELLERBE submitted the presentment of the Grand Jury of Marlborough District, Fall Term, 1848, which was read and referred to the Committee on Roads and Buildings. Also

The presentment of the Grand Jury of Marlborough District, Spring Term, 1848, which was read and referred to the Committee on Roads and Buildings.

Mr. CALDWELL presented the return of the commissioners of Free Schools, for Newberry District, for the year 1848, which was referred to the Committee on the College, Education and Religion. Also

The petition of Y. J. Harrington, Clerk of the Court of Common Pleas, for Newberry District, praying that the commissioners of Public Buildings may be directed to procure the use of other offices, for the safe keeping of Public Records of said District, which was referred to the Committee on Roads and Buildings. Also

The memorial of the commissioners of Public Buildings, for the District of Newberry, on the condition of the Court House for that District, which was referred to the Committee on Roads and Buildings. Also

The presentment of the Grand Jury, for Newberry District, at Fall Term, 1848, in relation to the Court House, which was read and referred to the same committee. Also

The presentment of the Grand Jury, for Newberry District, at Spring Term, 1848, which was read and referred to the same committee.

Mr. FELDER presented the petition of Susannah Connelly, praying that the escheated estate of Harbey Connelly, deceased, may be vested in her, which was referred to the Committee on the Judiciary.

Mr. JOHNSON presented the return of the commissioners of Free Schools, for St. Peter's Parish, for the year 1848, which was referred to the Committee on the College, Education and Religion.

Mr. JOHNSON presented the petition of the Trustees of the Black Swamp Academy, praying a renewal of their charter of incorporation; which was referred to the Committee on Incorporations and Engrossed Acts. Also

The petition of Dr. Nathan H. Johnson, praying compensation for a post mortem examination; which was referred to the Committee on the Lunatic Asylum and Medical Accounts.

Mr. BUCHANAN presented the petition of the officers of the Fairfield Rifle Guards, for an Act of incorporation, and to define the recruiting limits of said Company; which was referred to the Committee on the Military and Pensions.

Mr. BUCHANAN submitted the presentment of the Grand Jury of Fairfield District, Fall Term, 1848; which was read, and so much thereof as refers to licenses to retail spirituous liquors, and the practice of carrying concealed deadly weapons, was referred to the Committee on the Judiciary; and so much thereof as refers to the Free Schools was referred to the Committee on the College, Education and Religion.

Mr. FELDER presented the return of the commissioners of Free Schools for Orange Parish, for the year 1848; which was referred to the Committee on the College, Education and Religion; and also

The petition of Harmony Lodge No. 17, of Barnwell, praying compensation for the use of their Hall, as a Court House, by order of the Judge; which was referred to the Committee on Claims and Grievances.

Mr. HUGER presented the return of the commissioners of Free Schools, for St. Thomas and St. Dennis, for the year 1848; which was referred to the Committee on the College, Education, and Religion.

Mr. BARNES presented the return of the commissioners of Free Schools for Lancaster District, for the year 1848; which was referred to the same committee.

Mr. MOSES called up from the table the petition of John N. Davis, contesting the seat of the sitting Member for St. James Goose Creek, and it was referred to the Committee on Privileges and Elections.

Mr. COOPER presented the return of the commissioners of Free Schools for Williamsburg District, for the year 1848; which was referred to the committee on the College, Education and Religion.

Mr. WILLIAMS presented the return of the commissioners of Free Schools for Prince William's Parish, for the year 1848; which was referred to the same committee.

Mr. PORTER presented the petition of sundry citizens of this State, for a charter to construct a Rail Road from (or near) Charleston to (or near) Silver Bluff, on Savannah River, and from thence, across the said river, to the State of Georgia.

Mr. PORTER also presented the petition of C. A. Magwood, J. Y. Stock, J. L. Patterson, J. Payne, and P. J. Porcher, praying to be incorporated as a Wharf Company; which was referred to the Committee on Incorporations and Engrossed Acts; and also

The petition of the Northern Volunteers, a uniform corps, praying for a change of name; which was referred to the committee on Incorporations and Engrossed Acts; and also

The petition of Hannah Thompson, for renewal of certificates of State 6 per cent stock; which was referred to the Committee on Finance and Banks. Also

The account of the Charleston Mercury newspaper, for Public Printing; referred to the Committee on Claims and Grievances.

Mr. BUCHANAN presented the petition of John Harrison, Sr., and others, praying an Act to be passed, allowing Planters and Farmers to prove their accounts, which was referred to the Committee on the Judiciary.

At 20 minutes to 1 o'clock, Message No. 1, of his Excellency the Governor, was communicated to the Senate, through the private Secretary to the Governor. The Message was read, and on motion of Mr. MOSES, it was ordered to be printed, and to be made the special order of the day for Thursday next, at 1 o'clock.

EXECUTIVE DEPARTMENT, }  
Columbia, 28th Nov. 1848. }*To the Honorable the President**and Members of the Senate:*

GENTLEMEN:—Having in your recent Session been confined to the discharge of a particular duty, you have convened here now at the time appointed by the Constitution, for the purposes of general legislation, and I cannot too deeply impress on you the importance of this duty. The right of the citizens to select their law-givers from amongst themselves, is amongst the brightest and most cherished features in the structure of Representative Governments.

The Representative best knows the wants, necessities and opinions of his constituents, and his fidelity and vigilance is secured by the fact, that he himself is governed by, and subjected to the same laws which he ordains for them. But his obligations to his immediate constituents, are not the only responsibilities which he incurs—they are but members of a large community, and their particular interest will be best promoted by consulting the general interests; and in discharge of the sacred duty of legislator—he is responsible to the community at large.

In the discharge of the duties assigned to me by the Constitution, I shall now, and from time to time, endeavor to put you in possession of any information I possess, or may obtain, of the condition, and recommend such measures as, in my judgment, will best promote the general interests of the State. And you will unite with me in imploring Almighty Wisdom, to aid and direct us in the discharge of our respective duties, so that whatever we may do, shall promote the happiness and prosperity of our beloved State.

The Report of the Comptroller General will put you in possession of the condition of the Finances of the State.

Without entering into the details which will be found in the Report, the result shows that the ordinary revenues of the State, exclusive of the profits of the Bank of the State, and dividends on the Stock owned by the State, in the South Western Rail Road Bank, amounting together to the sum of \$108,000, which has been carried to the credit of the Sinking Fund, are in such a condition as to render it unnecessary to increase the public burthens; a measure at all times much to be deprecated, and especially when, as now, the unusually low prices of our staples, would render it burthensome to the citizens at large.

The Bank of the State has a very important agency in the management of its fiscal concerns. Great doubts were felt about the propriety of establishing it, when it was originally chartered in eighteen hundred and twelve; and nothing but what was supposed absolute necessity, could even then make it acceptable. It will be recollected that it was during the war with Great Britain, declared in June preceding, which entirely cut off our commerce with Europe; the pecuniary resources of the country having been com-

pletely drained by the preceding embargo and non-intercourse ; and with a fruitful soil, untiring labor, and abundant productions without a market even the wealthy planter, content to forego the luxuries which use had rendered in some degree necessary, found it difficult to meet the demands upon him, for the taxes and other dues to the Government. The State then had in hand some cash, and owned stocks and other productive securities to a considerable amount, and it was thought those would be more beneficially employed in reducing them to cash, and lending it to the citizens on real or personal security, to relieve their necessities. A Loan Office for this purpose, was at first contemplated but it was thought that banking powers and privileges would greatly facilitate its operations, and hence the charter of the Bank of the State, in the form in which we find it. From that time to this, distrust and doubts about the faithful administration of its affairs have pervaded some portions of the State, and I might add, all portions of it in a greater or less degree—and the propriety of closing it, and winding up its concerns, has been suggested. Danger of indiscretion, the want of fidelity in its officers, and of the partiality of its favors, when managed by persons having no immediate interest in its results, are mainly relied on in support of this proposition.

I have felt the full force of these arguments, and if it was now first proposed to establish a Bank with the usual powers on account of the State, and based on its capital, I should unhesitatingly oppose my dissent to it.—There is danger that persons having no immediate interest in it, would not exercise the same prudence and circumspection, in the management of it, that they would do in their own concerns—that they might indulge in personal partialities, at the expense of the Bank, and that they might prostitute it to political party purposes.

There is yet another objection, which strikes me as more imposing. But for the expectation of realizing profits at the expense of its customers, such a thing as a bank would never have been heard of. It is enough that the citizen has contributed his proper proportion towards the common burthens, and the State ought not to accept more at his hand. It may be said, that if there was no Bank of the State, he might find accommodation at other Banks on the same terms, and the result to him would be the same, and that the State had the right to share the profits of banking.

A sovereign State, whose duty it is by every possible means to cherish and conciliate, ought not willingly to put itself in the position of a relentless creditor towards the citizen, without which no Bank could sustain itself. That however, is not now the question, Would it be wise and prudent to close the Bank and wind up its concerns at this time?

There are very many reasons why, in my judgment, this would be inexpedient. I will notice a few only which strike me as entirely satisfactory. According to the report of the Comptroller General, the liabilities of the Bank of all sorts amount to

and the citizens of the State,

if not the sole, are the principal debtors. The credit system is unhappily so interwoven with our habits of business, that even the severe lessons that we have been taught from time to time, by the sudden depressions in the price of our staples, and the consequent derangement in all of our productive pursuits, have not been enabled to correct it. We are therefore now, in consequence of the low price of our agricultural productions, in the midst of one of those revulsions of commerce which inevitably brings with it a scarcity of circulating medium, and an increased demand for it. Close the Bank now, and stop its issues, and at least one source of supply is cut off.

Voluntary payments to the Bank, and every debtor that has the means would be disposed to get rid of that responsibility, would to that extent diminish the circulation; and to force collections would be productive of incalculable distress to the community.

There is another consideration of equal, if not greater importance. The capital stock and the profits of the Bank, are solemnly pledged on the faith of the State for every dollar she has borrowed, from the year 1820, down to this time. The act of 1838, authorizing what is called the fire loan of two million of dollars, (\$2,000,000,) which is amongst the last, makes the same pledges, and the evidence spread on your journals, shows that the agent who effected this loan, and the purchasers of the stock, had regard to them, in the negotiation for the loan. The character of the Bank itself is involved in these pledges—her neglect to fulfil them, would involve her in disgrace, and compel her to shut her doors. It is, therefore, reasonable to suppose, that it facilitated the negotiation, and increased the appreciation of the stock. I can add nothing to what has been said in the report of the Committee of the Senate, at the session in December, 1846, to show that closing the Bank now, and thus cutting off the profits, would violate these pledges, and be an act of *mala fides*—and the worse that the creditor is without redress. The Bank is the mere creature of the State, which may dispose of its funds as might be thought fit. She is not liable to suit, and the only security which the creditor would have, would be the faith of the State already violated. It is true, that by shutting up the Bank, and calling in the debts due to it, means might be provided for the payment of the public debt. But the fact of cutting off this security for its payment, would inevitably materially affect the price of the stocks, and operate injuriously to the holders—a consequence which I am sure every citizen of the State would deprecate.

It may be asked, if this institution is to be perpetuated and riveted upon our posterity for all time to come? I hope not. The time may, and I hope will come, when it will be wise and prudent to close it forever. But I would not have the State violate its solemn pledges, and do wrong to its creditors, even at the risk of the dangers to which I believe it would be exposed, in the hands of unworthy and dishonest agents. We have little to



apprehend from this source, if past experience is any evidence of what we may expect in the future. The Bank has now been in operation for thirty five years, and during all that time it has been the depository of all the public treasure; and if there has been any one of its numerous and frequently changing officers (including the branches) wanting in honesty and fidelity; any instance of indulging personal partiality at the expense of the Bank, or the prostitution of its means to unworthy purposes, I have not seen the evidence of it. Losses have occurred, and they are inevitable in all institutions of the kind; but the annual reports of the Bank, show that at least reasonable profits have been realized; and for the time to come, during which we must submit to what I regard as an evil, the Legislature is called on by every consideration of policy and interest, to keep at the head of the institution, as heretofore, able, honest, and faithful agents. When the pledges on the part of the Bank have been redeemed, it would be wise to close its doors forever, and call in its credits in such reasonable annual sums, as the community can bear. And I would on that account, earnestly recommend that there should not be any other pledges involving the capital, or profits of the Bank. If they are required for these, or any other purposes, they are under the control of the State.

The increasing prosperity and usefulness of the *South Carolina College*, is so much a matter of pride, that the attention of every one is constantly directed towards it: and I can add but little to what is generally known of its present condition. And under a wise, consistent, and mild, but firm and uniform government, the parts all harmonize, and regularity and order reign within its walls, and emulation amongst the students; and an increased ambition to acquire knowledge are the necessary fruits.

The extensive additional accommodations for the students, projected by the Board of Trustees at its last annual meeting, have by the liberal means provided by the Legislature at its last annual Session, been completed in a manner that adds greatly to the effect and beauty of the College Buildings, and yet there is no room to spare. The Students number now two hundred and fifty-five, including the graduating class, which is thirty-eight in number; but it is probable that their places will be supplied by the formation of a new Freshman class. Virginia, North Carolina, Tennessee, Georgia, Alabama, Mississippi, Louisiana, and Texas, all have representatives amongst the students, and it is not an unreasonable anticipation that the lights of science and literature emanating from this cherished institution, will be seen throughout the entire extent of the Southern portion of our Confederacy. It may, and the time may even now have arrived, when it will be indispensably necessary, to enlarge the usefulness of the College by providing for instruction in some branches of the sciences and literature, that are not now taught in it. But the subject belongs more appropriately to the Board of Trustees, to whose hands it has been wisely confided, and there I willingly leave it.

I should be gratified to present you with an equally flattering account of the condition of our Free Schools. Defective in the frame work of their original structure, they have dragged on a wretched existence, if, indeed, they can be said to exist at all, down to this day, at an immense cost, without any apparent benefits, except in the towns and cities, where, from the denseness of the population, the funds appropriated for their support can be concentrated so as to make its influence felt. Year after year the attention of the Legislature has been called to this subject by my predecessors in office; and again and again legislative committees have been directed to examine into their condition; and whilst all concede and expose the defective operation of the system, no measures have been taken towards its improvement. The will to do it is certainly not wanting, for it is a subject in which every individual has an interest; and I can only account for the apparent apathy, by supposing that no one knows, or has the means of knowing what is wanted to carry it into successful operation, within the means appropriated to that object. The defects of the system were early seen, and having bestowed some attention to it for many years past, and with opportunities of information accessible to few (I mean a personal knowledge of the localities and population of every portion of the State,) I am utterly unable to suggest any improvement likely to produce results corresponding in any reasonable proportion to the very large sum annually expended in their support. The local Boards of Commissioners cannot be relied on for the necessary information, as they act without concert or uniformity of system; and I suggested to the Legislature at its last session the propriety of appointing a suitable agent, whose duty it should be to visit every portion of the State in detail, charged especially with collecting all the information he could obtain from the local boards, and intelligent individuals; and to propose a plan suited to the occasion. Whatever plan may be devised, I am very confident that it will be found that there will be a great deficiency of competent instructors even in the primary departments of an English education. It is possible that there will be found in every district, a few young persons of both sexes who would, for the purpose of acquiring a suitable education, free of expense, oblige themselves, when qualified, to devote a few years to the instruction of children, for a reasonable compensation; and as a starting point in the improvement of the system, I would recommend that the Boards of Commissioners of the several districts be required by law to inquire for, and select from those offering, a certain number who would be willing to accept these terms, and to place them at suitable schools; the expenses of tuition and subsistence to be provided for out of the common free school fund before it is distributed amongst the districts, or in such other way as you may see fit to prescribe.

In connection with this subject, I take great pleasure in laying before you a communication from the Rev. Dr. Curtis and Son, Principals of the Female High School, at Limestone Springs, and of Mr. J. W. Hudson,

Principal of the Mount Zion Academy, at Winnsborough, which contain the liberal and patriotic proposition to receive, in furtherance of any general plan that may be adopted to make the free schools useful, any number of pupils: one of females, and the other of males, not exceeding twelve each, free of any charge for instruction, to be educated for teachers. It is generally known, that these institutions rank amongst the most respectable in the State; and my own observation enables me to state that the government, discipline, and success in instruction, will rank with any other of the same description in the State; and I would recommend earnestly, that at least this initiatory step be promptly taken towards the improvement of the free school system. Other schools, entitled to equal confidence, will doubtless be ambitious to follow this laudable example; and provision ought to be made for such a contingency. I invite your attention more particularly to this communication, as containing some useful and practical information on the subject of normal schools.

The Citadel Academy at Charleston, and the Arsenal Academy here, will furnish appropriate means of normal instruction in many of the most useful departments of science, and the South Carolina College the means of an education in the highest departments of science and literature.

In my first Message to the Legislature at its last annual session, I took occasion to bring to their notice the subject of Internal Improvements, and as no action was then had upon it, I take the liberty of presenting it to you in the hope that it will receive your early attention. For my general views on the subject I refer you to that Message; but at the expense of some repetition, I will state some facts which, in my judgment, deserve especial consideration. All who are familiar with the upper portions of the State, know that few, if any, of its productions will bear the expense of transportation, by the ordinary means, to a market, and leave any profits to the producer, except the article of cotton, which is not grown at all in the region bordering the mountains; and even that, at the present low prices, leaves but a small nett income when the charges of transportation are deducted. All descriptions of grain may be transported to our markets from any of the Northern cities at a less expense than from the mountain region, where it is grown in abundance; and, with facilities of transportation, might and would be increased to almost any extent. Lime, which is found in abundance in York and Spartanburg Districts, of superior quality, is shut out even from the market in this place, on account of the difference in the expenses of transportation, by the Thomaston lime. For the same reason our great marts are closed against the iron produced in the interior, and they are supplied from Europe and the Northern States. The same remarks will apply to almost every article of production, the transportation of which is expensive on account of its weight or bulk; and I venture to predict, that unless greater facilities of transportation are supplied, the healthiest and most favored portion of the State will become tenantless. Heretofore, they have found a market for their agricultural productions amongst

their cotton growing neighbors, but at the present low prices, they will find it their interest to raise their own supplies.

The Columbia and Charlotte, and Greenville Rail Roads, now in the course of construction, when completed, will greatly facilitate transportation in the portions of the country through which they pass; but if the former should stop at Anderson Court House, which I suppose probable, both will terminate in the cotton region, and neither materially aid the mountain districts, and will leave a space of more than an hundred miles between their northern terminations unprovided for. But no portion of either of these roads has yet been completed, and judging solely from what I know of the scarcity of money and the low prices of produce, these companies will find it difficult to call in the subscriptions for stocks, and without the aid of the State, the progress towards their completion must be very slow. And I would earnestly recommend to your consideration the propriety of affording them some assistance towards the completion of these laudable and patriotic enterprises.

Permit me, also, to invite your attention to what I said in the same Message, on the subject of the navigation of our water courses. The subject I know has become stale, and it would seem strange that these natural channels of transportation are destined to remain in their native rudeness and impracticability. All attempts at improvement have been heretofore made at the expense of the State. But I have no doubt that if the exclusive right to the navigation would be conceded, companies would be readily organized with adequate means to improve it, so as to enable them to transport produce at rates greatly below what is now common. But it is believed that this concession cannot be obtained, even from those residing on the banks of the water courses. Those employed in boating as a business, find their account in the increased prices, on account of the difficulty of the navigation; and the planter residing on or near the water courses, finds his in employing his own hands, instead of paying freight. There is, too, something like a natural disinclination to pay tribute for using nature's common highway; and without legislative authority or aid, these channels are destined to remain forever in their present rude and unimproved condition.

In connection with this subject, I transmit herewith the report of Major William Spencer Brown, a distinguished engineer, of a survey made by him of Broad River, at the instance of the Columbia and Greenville Rail Road Company, which contains much valuable information as to the condition of that river.

I had the honor to communicate to the Legislature, at its last session, that in pursuance of its orders, I had engaged B. C. Pressly, Esq., of Charleston, to prepare and procure to be printed, a Digest of the Laws relating to the Office and Duties of Magistrate; and I have now the pleasure of informing you, that I understand the book has been printed, and will be ready for delivery during the present session. Eight hundred dollars were ap-

propriated towards paying the expense of printing, and it has been paid to Mr. Pressley for that purpose. Whether it will be sufficient to pay for the printing and binding, I have not been informed. No provision has been made to compensate Mr. Pressly for his services, and I will take the liberty of calling your attention to the subject again, when the book shall have been delivered.

A great number of the 10th volume of Cooper's edition of the Statutes at Large, which contains the index of the whole, were burnt by a fire which consumed a number of houses in this place some years ago, and is now out of print. A corresponding number of the other volumes of the edition are useless for the want of the index. I would therefore recommend that provisions be made for re-publishing that volume.

That edition brings down the Statutes at Large to the year 1838—since when the annual acts have been printed in a type and paged corresponding with it. And I would recommend that provision be made for collecting them into volumes, and a general index to the whole. None but a very diligent inquirer would take the trouble of looking into more than ten years of Legislative enactments to find what the law is, and I would suggest as a good general rule, that these compilations should be made at least every tenth year.

I have received, and herewith transmit for your consideration, certain resolutions approving Mr. Whitney's project of a Rail Road from Lake Michigan to the Pacific Ocean, and recommending it to the patronage of the Government of the United States, adopted by the Legislatures of the States of Maine, Vermont, Rhode Island, Maryland, Ohio, Tennessee, Georgia, and Alabama. The project is one of the most sublime that has ever been conceived by man. One is astounded by its magnitude, and yet with adequate means no one will now question its practicability—nor will it be doubted that, if carried into execution, it would greatly promote the settlement of the wild lands through which it is proposed to carry it, bringing us into communion with our fellow-citizens inhabiting those remote regions, and greatly facilitate commerce.

I have also received from the National Medical Convention, held in May, 1847, in the city of Philadelphia, a memorial, the object of which is to "urge on the various State Governments the adoption of measures for procuring a registration of the births, marriages, and deaths in their several populations." I can add nothing to the argument found in the memorial, which is herewith transmitted, but my approbation of it in support of the measure.

The present organization of the magistracy, limiting one to each Militia Beat Company, strikes me as affording great facilities in obtaining the necessary information in the country. Confined to limited precincts, acquainted with every family within it, they would find little difficulty in obtaining it. Annual reports from all to the Clerks of the Courts or Commissioners

in Equity, would bring together all that occurs in each District, and then collected, would present a general view of the subject. In cities, towns, and other incorporated communities, the same end might be even more conveniently attained through the agency of the corporate authorities.

I transmit herewith, a letter from the Hon. W. J. Grayson, the Chairman of a Committee appointed by the Secretary of the Treasury of the United States, to select a site on which to erect a Custom House in Charleston, in which he states that he is advised, that according to the laws of the United States, no contract for the purchase can be completed without the consent of the State. One hundred and thirty thousand dollars (\$130,000) has been appropriated in Congress for this purpose, and although the site has not yet been selected, the Commissioners are desirous of obtaining the authority of the State to make the purchase, that it may be completed, and the erection of the necessary buildings may be in progress before the next meeting of the Legislature. Not more than two or three acres of ground will be wanted for the purpose, and I have not been able to conceive any well founded objection to authorize the purchase. I submit the matter to your consideration.

By an act of the Legislature, passed on the 18th day of December, 1846, the State granted to the United States all the right, title, and interest of the State to the lands, forts, fortifications and sites for the erection of forts on Sullivan's Island and Shutes's Folly Island, as delineated by a plat of resurvey made by Robert Q. Pinckney: Provided, that the Act should not take effect until the United States Government shall have conveyed to the State of South Carolina, all the right, title, and interest of the United States in the lands lying between the present site of Fort Moultrie and the parade ground, which is indicated as a street in the aforesaid plan of resurvey, and until the said plan of resurvey shall have been deposited in the office of the Secretary of State at Columbia.

On the 28th day of February last, the Hon. William L. Marcy, the Secretary of War of the United States, in pursuance of the authority of an Act of Congress, approved on the 3d March, 1819, executed a deed to the State of South Carolina for all the right, title, and interest of the United States to the land lying between the present site of Fort Moultrie and the parade ground, as provided in the Act of the 18th December, 1846, above referred to, which was delivered to me in the course of the last spring, and I was applied to by Col. J. G. Totten, Chief Engineer, in behalf of the United States, to convey to the United States, in form, the lands granted by the Act of 1846. Having no direct authority to convey, and being of opinion, that on the performance of the condition contained in the Act, the grant became absolute, and the title to the United States perfected, I at first declined to do so. But, upon being urged by the authorities of the United States, I executed, in behalf of the State, a deed, in effect acknowledging the performance of the condition on the part of the United States. Being then and still of opinion that this was nugatory, I would recommend



that an Act be passed, acknowledging the performance of the condition on the part of the United States, and confirming the grant. Not knowing what course the Legislature would take, I declined to have the deed from the United States put on record, and I would recommend the propriety of providing for that also. I transmit herewith the deed from the United States; a copy of my deed to the United States; a letter from Col. Totten to myself, dated 3d March, 1848; and the correspondence between Capt. Bowman, of the Engineer Department of the United States, and myself, which will put you in possession of all the information that may be required.

I have also received a communication from the Hon. William L. Marcy, Secretary of War of the United States, under date of the 25th April, 1848, enclosing extracts of a letter to him from Frederick A. Smith, Captain Engineers, A. C. E. of the 18th of April, 1848, in which it is stated that five acres of land in Beaufort Harbor were granted by this State to the United States, on the 17th December, 1808, for the site of Fort Littleton, (otherwise called Fort Marion)—that Commissioners were appointed on the part of the State, to mark out its boundaries, but that all efforts to ascertain now where they were, have been unsuccessful; and he requests that I would bring the subject to your notice, with a view to some provision for the appointment of Commissioners on the part of the State, clothed with authority to ascertain and locate the boundary, in conjunction with an engineer officer, to be designated by the War Department. The request strikes me as reasonable, and I would recommend that Commissioners be appointed for the purpose of meeting it. The communication of the Secretary of War is herewith transmitted.

The constant and never ending agitation of the question of slavery between the slaveholding and non-slaveholding States, apart from the issues really involved, will of itself in the end inevitably lead to the most disastrous consequences. The passions of communities, like those of individuals, are roused and inflamed by constant vituperation, however unimportant may be the matter in controversy; and the degree of resentment engendered by it, is in proportion to the magnitude of the matter involved. To us the question is vital; the issues of "life, liberty, and property" are involved in it; the poison of fanaticism is so infused in the masses, that I have charity enough to suppose that many worthy men conscientiously believe that involuntary servitude is a damning curse, and would willingly turn our slaves loose to cut our throats. But the mockery of the more liberal and enlightened politicians of the non-slaveholding States, in disclaiming the authority of Congress to interfere with the institution in the States where it now exists, but protesting against its extension beyond its present limits, is more galling. Do they not know that the encouragement and protection given to fugitive slaves have rendered property in them of little value in the border States? Do they not know that, circumscribed to the territorial limits they now occupy, they will in a few years exhaust

much of the now productive soil, and in their rapid increase in numbers overwhelm their owners, and drive them to seek an asylum elsewhere ; and that, by excluding them from additional territories already or hereafter to be acquired, they will, through the agency of Congress, accomplish indirectly what they concede to be unconstitutional ? I will not speak of our equal rights as citizens of this Confederation. The argument has been long ago exhausted, and demonstration as palpable as a mathematical conclusion will avail nothing.

The probability is, that whether we will or will not be permitted to carry our slaves into the territory acquired by the treaty with Mexico, will be definitely settled at no distant day. If against us, the question will necessarily arise as to the measures we ought to pursue. All the other slave holding States have precisely the same interest in this question that we have, and we know that many, if not all of them, feel the same solicitude about it that we do, and it may reasonably be supposed they would readily unite with us in any measure promising relief. With our united, moral, and physical strength, in a just and honorable cause, we can successfully oppose any power that can be brought to bear upon us. Concert as to time and manner of action is indispensable to this unity, and the question now is, when and how this is to be brought about ? Is the present time propitious ?

We know already, or have abundant reason to suppose, that the present Chief Magistrate of the United States, adopting the Missouri Compromise as a rule, will, if Congress in its folly and madness, in total disregard of reason and right, exclude us entirely from the Mexican territory, interpose the conservative veto power. It is known, too, that in the election of his successor, many of the slaveholding States cast their votes for the candidate who will be elected ; and that in all the rest there was great division ; more, probably than the results have brought to light ; and I take it for granted that it was upon the faith, that, being a Southern man, he would not be unmindful of Southern rights. It cannot be supposed, then, that the States which will vote for him, and the minorities in those States which will vote against him, can be brought to act together in anticipation that our rights will be violated under his administration, he having the power to prevent it. The present time is therefore, in my judgment, unpropitious for action. We ought, notwithstanding, to provide for any contingency. The blow may be struck when we are unaware of our danger, and no time ought to be lost in projecting means to unite the slaveholding States in some common mode of action, when the occasion shall arise ; and a free discussion and interchange of opinion will greatly promote this object in preparing the public mind to meet its consequences. As before remarked, unity of time and concert of action are indispensable to success, and a Southern Convention is the most direct and practical means of obtaining it.

No one State can reasonably hope for success, when acting alone in oppo-

sition to the opinion of all the others. The effect of such an attempt would expose them to be overwhelmed in detail. What, it may be asked, will South Carolina do if she is left alone to fight this battle? There are spirits in her bosom that would willingly perish in defence of her rights.— But would it be wise to seek such a destiny, as long as there is hope of succor?

DAVID JOHNSON.

On motion of Mr. MAZYCK, the following documents referred to in the Message, were also ordered to be printed, viz:

1. Communication from Dr. Curtis & Son, and J. W. Hudson, on the subject of Free Schools.

2. Major Brown's report of a survey of Broad river.

3. Memorial of the National Medical Convention, on the subject of registration of marriages, births and deaths.

Mr. D&TREVILLE presented the account and vouchers of the Committee on the Legislative Library, of the last session, which were referred to the Committee on the Legislative Library. Also,

The Return of the Commissioners of Free Schools, for Barnwell district, for the year 1848, which was referred to the Committee on the College Education and Religion.

Mr. MOSES presented the petition of sundry citizens of Sumter, praying for the incorporation of Bradford Springs Female Institute Company, which was referred to the Committee on Incorporations and Engrossed Acts.

Mr. ISAAC D. WILSON presented the Return of the Commissioners of Free Schools, for Darlington district, for the year 1848, which was referred to the committee on the College, Education and Religion.

Mr. PORTER presented the Return of the Commissioners of Free Schools, for St. Philip and St. Michaels, for the year 1848, which was referred to the same committee. Also,

The memorial of the Commissioners of Free Schools, for the parish of St. Philip and St. Michael, praying the passage of a law, to authorize them to raise a fund for the building of Free School Houses, and for other purposes, which was referred to the same committee.

Mr. QUATTLEBUM presented the petition of sundry citizens of Beat No. 3, of the upper Battalion of the 15th Regiment, praying that the law may be so altered and amended, as to allow an additional Magistrate for said Beat, which was referred to the committee on the Judiciary. Also

The petition of sundry citizens of Beats No. 2 and 4, of the upper Battalion of the 15th Regiment, praying that the Field Officers of the Regiment, may be authorized so to divide the said Beats, as to form an additional Beat, to be attached to the upper Battalion of that Regiment, which was referred to the committee on the Military and Pensions.

Mr. EVINS presented the petition of John Brown, praying for a charter for his Ferry on Savrnna river, at the site formerly known as Shockley's

Ferry; which was read and referred to the Committee on Roads and Buildings. Mr. EVINS also submitted the presentment of the Grand Jury of Pickens' district, for Fall Term, 1848; which was read and was referred to the Committee on Privileges and Elections. Also

The Memorial of the Commissioners of Free Schools, for Pickens' district, praying an appropriation and relief, from certain difficulties, in relation to the appropriation for the year 1847; which was referred to the Committee on the College, Education and Religion.

Mr. B. G. ALLSTON presented the return of the Commissioners of Free Schools, for St. Luke's Parish, for the year 1848; which was referred to the Committee on the College, Education and Religion.

On motion of Mr. BUCHANAN it was ordered, that when the Senate adjourn, it shall stand adjourned to meet to-morrow at 12 o'clock.

On motion of Mr. EVINS the Senate adjourned at 28 minutes past 1 o'clock.

### WEDNESDAY, NOVEMBER 29, 1848.

The Senate met at 12 o'clock, pursuant to adjournment.

The Clerk read the Journal of the proceedings of yesterday.

#### ADDITIONAL MEMBERS.

The Hon. JOHN S. ASHE, Senator from St. Philip and St. Michael, and " JOSHUA J. WARD, " " All Saints Parish. appeared in their seats in the Senate Chamber.

Mr. MARSHALL presented the return of the Commissioners of Free Schools for Abbeville district, for the year 1847; And

The return of Commissioners of Free Schools, for Abbeville district, for the year 1848; which were referred to the committee on the College, Education and Religion.

Mr. GRIFFIN presented the petition of sundry citizens of Edgefield district, praying the opening of a new public road; which was referred to the committee on Roads and Buildings; also

The petition of the Little Stevens Creek Baptist Church, in Edgefield, praying an act of incorporation; which was referred to the committee on Incorporation and Engrossed Acts, also

The petition of Abner Bushnell, for compensation for making coffins for deceased prisoners; which was referred to the committee on Claims and Grievances; also

The petition of the commissioners of Public Buildings for Edgefield district, in relation to a new Jail; which was referred to the committee on Roads and Buildings.

Mr. GRIFFIN submitted the presentment of the Grand Jury, for Edgefield district, Fall Term, 1848; which was read, and referred to the committee on Roads and Buildings.

Mr. GRIFFIN presented the return of the Commissioners of Free Schools for Edgefield district, for the year 1848 ; which was referred to the committee on the College, Education and Religion.

Mr. WILLIAMS presented the return of the commissioners of Free Schools for St. Bartholomews parish, for the year 1848 ; which was referred to the committee on the College, Education and Religion.

Mr. IRBY presented the return of the Commissioners of Free Schools for Laurens district, for the year 1848 ; which was referred to the committee on the College, Education and Religion.

Mr. IRBY submitted the presentment of the Grand Jury for Laurens district, Spring Term, 1848 ; which was read, and was referred to the committee on the Judiciary.

Mr. IRBY also submitted the presentment of the Grand Jury, for Laurens district, Fall Term, 1848 ; which was read and referred to the committee on the Judiciary.

Mr. QUATTLEBUM presented the return of the Commissioners of Free Schools for Lexington district, for the year 1848 ; which was referred to the committee on the College, Education and Religion.

Mr. QUATTLEBUM presented the petition of the Pastor and Elders, of the Evangelical Lutheran Church, at Sandy Run, Lexington district, for Incorporation ; which was referred to the committee on Incorporations and Engrossed Acts.

Mr. HIBBEN presented the petition of Charles Jugnot and Oliver B. Hillard, for Incorporation of Mount Pleasant Ferry Company ; which was referred to the committee on Incorporation and Engrossed Acts.

Mr. MAZYCK presented the memorial of James Gadsden and others, for the right to connect by Rail Road, the South Carolina Rail Road, with the waters of Charleston Harbor ; which was referred to the committee on Agriculture and Internal Improvements.

Mr. MAZYCK presented the Memorial of the South Carolina Rail Road, on the funding of its debt to the State, which was referred to the committee on Finance and Banks. Also,

The petition of James O. Hagood, F. J. Hay and other citizens of Barnwell District, praying to be incorporated as a Religious Society, which was referred to the committee on Incorporations and Engrossed Acts. Also,

The petition of sundry citizens of the Parish of St. James Santee, praying for protection from injury caused by persons coming from a distance and driving off cattle from the neighborhood in which the petitioners reside, which was referred to the committee on the Judiciary.

Mr. BLACK presented the petition of William Glaze, praying payment for two cannon purchased for the Richland Light Artillery, which was referred to the committee on the Military and Pensions.

Mr. BLACK presented the memorial of the Town Council of Columbia, praying for an extension of their corporate powers, which was referred to the committee on Incorporations and Engrossed Acts.

Mr. WARE presented the return of the Commissioners of Free Schools, for Greenville District for the year 1848, which was referred to the committee on the College, Education, and Religion.

Mr. WARE submitted the presentment of the Grand Jury of Greenville, Fall Term 1848, which was read and was referred to the committee on the Judiciary.

Mr. GRIMBALL presented the petition of John Townsend, praying for authority to erect and keep up certain bridges, which was referred to the committee on Roads and Buildings.

Mr. WILLIAMS gave notice that on to-morrow he will ask leave to introduce

A Bill to abolish the office of Superintendent of Public Works.

Mr. WITHERSPOON gave notice, that on Saturday next he will ask leave to introduce

A Bill to construct a Rail Road from Yorkville, to some convenient point on the Charlotte, South Carolina, and Columbia Rail Road.

Mr. JOHNSON gave notice that on to-morrow, he will ask leave to introduce

A Bill to prevent the marital rights of the husband, from attaching on the estates of married women.

Mr. JOHNSON also gave notice that to-morrow he will ask leave to introduce

A Bill to give the election of Commissioners in Equity to the people.

Mr. HANNA presented the petition of Mr. Alfred M. Lowry, late Sheriff of Chesterfield District, praying that money erroneously paid by him to the Treasurer on Tax Executions may be refunded; referred to the committee on Finance and Banks.

Mr. GAUSE presented the petition of citizens of Marion, praying for a new road; referred to the committee on Roads and Buildings.

Mr. MARSHALL presented the petition of sundry citizens of Abbeville District, for the appointment of an additional Magistrate; referred to the committee on the Judiciary.

Mr. MOSES gave notice that on Saturday next, he will ask leave to introduce

A Bill to repeal the 12th Section of the Act of 1830, entitled "An Act to establish certain Roads, Bridges and Ferries."

Mr. PORTER presented the petition of Rebecca Rhame, praying permission to keep a Toll Gate on the State road, near Wassamaw Swamp; referred to the committee on Agriculture and Internal Improvements.

Mr. MAZYCK presented the Memorial of James Gadsden, for a charter of a Rail Road from the South Carolina Rail Road to the Savannah river, at or near Silver Bluff; which was referred to the committee on Incorporations and Engrossed Acts. Also,

The Memorial of John H. Steinmeyer, praying a charter of a Ferry from the west end of Broad-street, on Ashley river, to a point opposite in St. An-

drew's Parish; which was referred to the committee on Roads and Buildings.

Mr. PORTER presented the petition of the "Female Missionary and Education Society of the first Baptist Church, in Charleston," for incorporation; which was referred to the committee on Incorporations and Engrossed Acts.

Mr. FELDER gave notice that on to-morrow he will ask leave to introduce

A Bill prohibiting, hereafter, the issue of Bills in this State, of a less denomination than five dollars.

#### GENERAL ORDERS.

The Senate proceeded to the General Orders of the day.

The Report of the Special Committee on the Public Printing for the Senate; was called up and agreed to by the Senate.

The General Orders were disposed of.

Mr. EVINS presented the return of the Commissioners of Free Schools, for Pickens District, for the year 1848; which was referred to the committee on the College, Education and Religion.

Mr. BUCHANAN presented the petition of sundry citizens of the town of Winnsborough, praying an Act of Incorporation; which was referred to the committee on Incorporations and Engrossed Acts. Also,

The return of the Commissioners of Free Schools, for Fairfield, for 1848; which was read and was referred to the committee on the College, Education and Religion: and the remarks of the Commissioners, upon the Free School system, were read for the information of the Senate.

Pursuant to notice, and with leave of Senate, Mr. BUCHANAN introduced

A Bill to incorporate the Fairfield Rifle Guards, and to define the recruiting limits of the said company; the Bill received the first reading and was referred to the committee on the Military and Pensions.

Mr. MARSHALL offered the following preamble and resolution; which were ordered for consideration to-morrow.

#### PREAMBLE AND RESOLUTION.

WHEREAS, by an Act of the Legislature of South Carolina, passed on the 17th day of December, 1847, the sum of five thousand dollars was appropriated "for paying the expenses incurred for the Volunteers from South Carolina, on their return home from the Mexican War, to be paid to His Excellency the Governor, and expended under his direction."

*Be it Resolved*, That the unexpended balance of the said sum, now in the hands of His Excellency the Governor, be appropriated to the widows and orphans of the deceased soldiers of the Palmetto Regiment, and expended under the direction of His Excellency the Governor, in the manner provided for and pointed out by said Act of December, 1847.

On motion of Mr. BLACK, it was ordered that when the Senate adjourns, it shall stand adjourned to meet to-morrow at 12 o'clock.

On motion of Mr. MAZYCK, the Senate adjourned, at 10 minutes to 1 o'clock.

## THURSDAY, NONEMBER 30, 1848.

The Senate met at 12 o'clock, pursuant to adjournment.

The Clerk read the journal of the proceedings of yisterday.

The Hon. T. J. GOODWYN, Senator from St. Matthew's Parish, and the Hon. BENJAMIN PERRY, Senator from St. Paul's, appeared in their seats in the Senate Chamber.

Pursuant to notice, and with leave of Senate, Mr. WILLIAMS introduced

A Bill to abolish the office of Superintendent of Public Works ; the Bill received the first reading—was referred to the committee on Agriculture and Internal Improvements, and ordered to be printed.

Mr. B. G. ALLSTON presented the petition of Jacyntha Stansell, praying compensation for accommodations furnished to Jurymen and Constables, by order of the Judge ; which was referred to the committee on Claims and Grievances.

Mr. WITHERSPOON presented the petition of James McCluney, praying that certain property, liable to escheat, may be vested in Mary McCreight ; which was referred to the committee on the Judiciary.

Mr. CANNON presented the petition of sundry citizens of Spartanburg, praying that an old Road be discontinued ; which was referred to the committee on Roads and Buildings.

The Senate granted leave to Mr. GRIFFIN to withdraw from its files the petition of Wm. B. Villard.

Mr. GRIFFIN presented the petition of William B. Villard, for compensation for discoveries of the Agricultural resources of the State of South Carolina ; which was referred to the committee on Agriculture and Internal Improvements.

Mr. BARNES presented the petition of James Bennett, Administrator of Reuben Bennett, praying for arrears of pension due his intestate ; which was referred to the committee on the Military and Pensions.

Mr. BLACK presented the petition of A. Palmer, praying payment of his Account for work in the State House ; which was referred to the committee on Claims and Grievances.

Mr. BLACK, from the committee on Accounts and Vacant Offices, reported the following offices vacant, viz: Treasurer of the Upper Division, Attorney General, Solicitor of the Northern Circuit, Solicitor of the Southern Circuit, Master in Equity for Charleston District.

## COMMISSIONERS IN EQUITY.

For Newberry District,

Laurens District,

Colleton District,

Darlington District,

Horry District,

Greenville District,

and Union District. The Report was ordered to lie on the table.



Mr. COOPER presented the resignation of Iley Coleman, Commissioner in Equity for Williamsburg District ; which was referred to the committee on Accounts and Vacant Offices.

Mr. MAZYCK presented the Report of the committee on Privileges and Elections, on the petition of sundry citizens of St. Lukes' Parish, contesting the election of the sitting member. Also,

The Report of the same committee, on the Memorial of John N. Davis, contesting the election of the sitting member for the Parish of St. James Goose Creek—both of which Reports recommend to the Senate, that the protestants, as well as the sitting members, have leave to send for persons and papers. The Reports were agreed to by the Senate.

Mr. GOODWYN presented the return of the Commissioners of Free Schools, for St. Mathew's Parish, for 1848 ; which was referred to the committee on the College, Education, and Religion.

Mr. JOHN S. PALMER presented the Memorial of the Medical Association of South Carolina, praying the passage of a Law to provide for the registration of Births, Deaths, and Marriages ; which was referred to the committee on the Lunatic Asylum and Medical Accounts.

Mr. JOHN S. PALMER presented the petition of the President and Counsellors of the South Carolina Medical Association, praying for an Act of Incorporation ; which was referred to the committee on Incorporations and Engrosed Acts.

Mr. TAYLOR presented the petition of William Hall, praying compensation for an injury done to him, by a public Road running through his land ; which was referred to the committee on Roads and Buildings.

Mr. BLACK presented the Report of the President of the Bank of the State of South Carolina, in relation to that Bank and its branches. The Report was referred to the committee on Finance and Banks, and was ordered to be printed.

Mr. EVINS presented the return of the Commissioners of Free Schools, for Pickens District, for the year 1847 ; which was referred to the committee on the College, Education and Religion.

The following Message was received from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES, }  
November 29th, 1848. }

*To the Honorable the President and gentlemen of the Senate :*

This House has referred the Memorial of the Greenville and Columbia Rail Road Company, asking for Legislative aid ; and also the Memorial of the Charlotte and South Carolina Rail Road Company, with a similar prayer, to a special committee, consisting of Messrs. Memminger, J. H. Adams, Blakeney, Simons, Jones, Harrington, Ingram, J. P. Reed, and Til-

linghast, and respectfully asks the Senate to appoint a committee to meet and confer with the committee of this House, on the subjects referred.

By order of the House,

JOHN IZARD MIDDLETON, *Speaker*.

The Message was ordered to lie on the table, and

Mr. BUCHANAN presented the Memorial of the Greenville and Columbia Rail Road Company, asking for Legislative aid.

The Message from the House of Representatives was then taken from the table, and was concurred in. Messrs. Buchanan, Mazyck, Caldwell, De Treville, and Porter were appointed on the committee, and on motion of Mr. Moses, Mr. J. D Wilson was added to the committee.

A message was then ordered to be sent to the House of Representatives, informing that house of the concurrence of the Senate in the message from that house, and of the committee just named. The memorial of the Greenville and Columbia Rail Road company was referred to the same committee.

Mr. BUCHANAN gave notice, that on to-morrow he will ask leave to introduce

A Bill to Incorporate the town of Winnsborough.

The Senate granted leave to Mr. Porter to withdraw from its files the petition of Thomas J. Gantt, Clerk of the Court of Appeals at Charleston, for additional compensation, which accompanied the report of the committee on Claims of the House of Representatives in 1847.

Mr. PORTER presented the petition of Joshua Lazarus and others, praying to be Incorporated as a company, for supplying the city of Charleston with water; referred to the committee on Incorporations and Engrossed Acts.

The President laid before the Senate, the report of the Comptroller General with accompanying documents, which was referred to the committee on Finance and Banks, and was ordered to be printed.

Pursuant to notice, and with leave of the Senate, Mr. Felder introduced.

A Bill to restrain the issue of small Bank bills, and for other purposes. The bill received the first reading and was referred to the committee on Finance and Banks, and was ordered to be printed.

Mr. QUATTLEBUM submitted the presentment of the Grand Jury of Lexington district, Spring Term, 1848; which was read, and so much thereof as relates to compensation to citizens for the performance of public duties was referred to the committee on the Judiciary—and so much thereof as relates to the election of Electors, was referred to the committee on Privileges and Elections.

Mr. QUATTLEBUM also presented the petition of sundry citizens of Lexington district, praying that the question of retailing ardent spirits, to be

drank at the place where sold, may be determined by ballot by the voters of the respective districts, cities, towns and villages ; which was referred to the committee on the Judiciary.

On motion of Mr. WITHERSPOON, the report of the committee on accounts and vacant offices reporting certain offices vacant, was taken up, and a message was sent to the House of Representatives proposing to that House to go into a ballot to-morrow, at 1 o'clock, for

Master in Equity for Charleston and Commissioners in Equity for the districts of Darlington, Colleton, Greenville, Laurens, Newberry, Union, Horry and Williamsburg.

Pursuant to notice, and with leave of Senate, Mr. BLACK introduced

A Bill to give the election of Electors of President and Vice President of the United States to the people. The bill received the first reading and was referred to the committee on Privileges and Elections, and was ordered to be printed.

Mr. QUATTLEBUM gave notice that on to-morrow he will ask leave to introduce

A Bill to alter and amend the constitution, so as to change the name of the election districts of Saxe Gotha to that of Lexington, and to extend its boundaries to its present judicial limits.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

*A Preamble and Resolution* in relation to the unexpended balance of an appropriation for defraying the expenses of Volunteers in the Mexican war on their way home, were referred to the committee on the Military and Pensions.

The general orders were disposed of.

On motion of Mr. CANNON it was ordered that when the Senate adjourns it shall stand adjourned to meet to-morrow at 12 o'clock.

At 1 o'clock the Senate proceeded to the special order for this hour : the message No 1. of His Excellency the Governor. The reading of the message was dispensed with.

Mr. MOSES offered the following resolutions.

*Resolved*, That so much of the Message of His Excellency the Governor, as relates to the Bank of the State, and the financial operations of the same, be referred to the committee on Finance and Banks, except so much as relates to the re-charter of the Bank of the State.

So much thereof, as relates to the College and the Free School system, to the committee on the College, Education and Religion.

So much thereof, as relates to Internal Improvements, and the Columbia and Charlotte and Greenville Rail Roads, to the committee on Agriculture and Internal Improvements.

So much thereof, as relates to the Statutes at Large, and the Digest of the Laws relating to the office and duties of Magistrates, to the committee on the Judiciary.

So much thereof, as relates to the memorial of the National Medical Convention, to the committee on the Lunatic Asylum and Medical Accounts, and

So much thereof, as relates to the Resolutions of several States, in reference to Whitney's project of a Rail Road, to the Pacific; the purchase by the General Government, of a site for a Custom House, in Charleston; to the Acts of 1808 and 1846, in relation to grants of certain lands to the United States, and to the interference of Congress with the rights of the slaveholding States, to the committee on Federal Relations.

The Resolution, having been read, and the question being upon the adoption, Mr. MARSHALL offered the following amendment to the first Resolution :

That so much of the Governor's Message, as relates to the re-charter of the Bank of the State, be referred to the whole Senate, sitting in committee of the whole, and be made the special order of the day, for Wednesday next.

The amendment was agreed to, and the resolutions as amended were also agreed to by the Senate.

Mr. MARSHALL offered the following resolutions, which were also referred to the committee of the whole Senate, to sit on Wednesday next at 1 o'clock.

1. *Resolved*, That it is unwise and inexpedient, for a State to engage in Banking, or to subject its resources to the casualties of Banking operations.

2. *Resolved*, That the Bank of the State is founded on this erroneous policy, and exposes the public Treasury and the public faith to the hazards incident to Banks.

3. *Resolved*, That it is inexpedient to re-charter the Bank of the State, and that measures ought now to be taken to wind up its concerns during the period of its present charter.

4. *Resolved*, That a Special Committee of each House be appointed, to devise and report at the next session, the proper measures for carrying into effect the last Resolution.

The special order having been disposed of,

Mr. JOHNSON, pursuant to notice and with leave of Senate introduced

A Bill to give the election of Commissioners in Equity to the people.—The bill received the first reading and was referred to the Committee on the Judiciary.

Mr. GRIFFIN presented the counter petition of certain citizens of Edgefield District, praying that the prayer of the petition of certain of the citizens of said district, to open a public road from what is called the Anderson

road, commencing on a point near Jefferson Bennett's, on the said road, to the Island Ford road, near the residence of Thomas C. Griffin, be not granted; referred to the committee on Roads and Buildings.

The following message was received from the House of Representatives

IN THE HOUSE OF REPRESENTATIVES. }  
November, 30, 1848. }

*To the Honorable the President and Gentlemen of the Senate.*

This House proposes to Senate, to go into an election to-morrow at half past 12 o'clock, for the following officers, viz: Commissioners in Equity, for the districts of Darlington, Colleton, Greenville, Laurens, Newberry Union, Williamsburg; and also Master in Equity for Charleston, district

By order of the House,

JOHN IZARD MIDDLETON, *Speaker.*

The Senate concurred and sent a message accordingly, and also, further proposing to the House of Representatives, to go into a ballot for Commissioner in Equity for Horry District, at the same time with the ballot for Commissioners in Equity for the Districts named in the message.

On motion of Mr. HUGER, the Senate adjourned, at 8 minutes to 2 o'clock P. M.

#### FRIDAY, DECEMBER 1, 1848.

The Senate met at 12 o'clock, pursuant to adjournment.

The Clerk read the journal of the proceedings of yesterday.

The Hon. M. T. APPLEBY, Senator from St. Georges', Dorchester, appeared in his seat in the Senate Chamber.

Mr. TAYLOR presented the petition of C. Matheson, praying payment for supplies to the Volunteers of this State in the Mexican War; which was referred to the committee on Claims and Grievances. Also,

The petition of M. M. Levy, late Sheriff for Kershaw District, to be refunded Interest paid on Tax Executions erroneously; which was referred to the committee on Finance and Banks.

Mr. MOSES presented the petition of sundry citizens of Sumter District, praying for further penalties against obstructions to the passage of Fish up Lynch's Creek, which was referred to the committee on the Judiciary.

Mr. MOSES gave notice that, on to-morrow, he will ask leave to introduce "a Bill to Incorporate the Bradford Springs Female Institute Company."

The Senate granted leave to Mr. JOHNSON to withdraw from its files the petition of A. R. Johnson, for compensation for a Slave executed.

The following Message was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES, }  
December 1st, 1848, }

*To the Honorable the President and gentlemen of the Senate :*

This House concurs with Senate to go into ballot, this day, at half past 12 o'clock, for Commissioner in Equity for Horry District.

By order of the House,

JOHN IZARD MIDDLETON, *Speaker.*

Mr. BLACK presented the petition of the Commissioners of Public Buildings for Richland District, praying an appropriation ; which was referred to the committee on Roads and Buildings.

Mr. HIBBEN presented the Report of the Commissioners of Free Schools for Christ Church Parish, for the year 1848 ; which was referred to the committee on the College, Education and Religion.

Mr. BLACK presented the petition of J. S. Guiznard, praying the Legislature to afford him relief, by passing an Act nullifying and making void a title, supposed to have been improperly obtained ; which was referred to the committee on the Judiciary.

Mr. BLACK offered the following Resolutions, which were referred to the committee on Federal Relations, and ordered to be printed, viz :

1. *Resolved*, That there is good reason to apprehend that it is the deliberate intention of a large portion of the people of the Northern States of this Union, to embody into any Bill which may be passed by Congress, organizing Territorial Governments for New Mexico and California, a provision for excluding Slavery from said Territories.

2. *Resolved*, That we would regard the passage of such a law by Congress, as a gross violation of the federal compact—an outrage upon the rights of the Southern States, and a wanton and undisguised insult ; and that a submission thereto would be degrading and infamous.

3. *Resolved*, That the State of South Carolina never will, in any contingency or under any circumstances, submit to any law passed by the Congress, and approved by the President of the United States, by which Slavery shall be excluded from any Territory belonging to this Government, and lying South of the parallel of 36 degrees and 30 minutes of North latitude.

4. *Resolved*, That in the event of the passage of such a law by Congress, and its approval by the President, that the Governor of this State, for the time being, convene the Legislature thereof immediately, in order that such action may be taken as shall be deemed necessary and proper.

5. *Resolved*, That the State of South Carolina earnestly invites the attention of her sister States of the South to this important subject, and proposes to meet and consult with them at such time, and in such manner, as may

be deemed advisable, as to the best and most effectual mode of avoiding or resisting the dangers with which we are in common threatened.

Pursuant to Messages interchanged between the two Houses, the Senate, at the hour of half past 12 o'clock, joined the House of Representatives in balloting for Commissioners in Equity for the Districts of Darlington, Colleton, Greenville, Laurens, Newberry, Union, Williamsburg, and Horry, and also for Master in Equity for Charleston. Messrs. B. R. ALLSTON and BARNES were appointed the committee on the part of the Senate to count the ballots.

Mr. MAZYCK gave notice, that on Tuesday next, he will ask leave to introduce a Bill further to amend an Act entitled "An Act for the Abolition of the rights of Primogeniture; for the giving an equitable distribution of the Estates of intestates, and for other purposes therein mentioned," passed the nineteenth day of February, 1791.

Mr. MAZYCK offered the following Resolution, which was agreed to :

*Resolved*, That the committee on Privileges and Elections, be instructed to prepare and report a Bill to provide for taking a census of the free white Inhabitants of this State.

Mr. BUCHANAN presented the memorial of the Charlotte and South Carolina Rail Road Company, praying for Legislative aid; which was referred to the special joint committee, to which had been referred the memorial of the Greenville Rail Road Company.

Pursuant to notice and with leave of Senate, Mr. BUCHANAN introduced

A Bill to incorporate the Town of Winnsborough. The Bill received the first reading and was referred to the committee on Incorporations and Engrossed Acts.

Pursuant to notice and with leave of Senate, Mr. QUATTLEBUM introduced

A Bill to alter and amend the constitution, so as to change the name of the election district of Saxe Gotha, to that of Lexington; and to extend its boundaries to its present judicial limits. The bill received the first reading, and was referred to the committee on the Judiciary.

Mr. WARE presented the petition of certain citizens of Greenville praying an Act of Incorporation of the Fairview Church; which was referred to the committee on Incorporations and Engrossed Act.

On motion of Mr. WITHERSPOON, the resolutions in relation to the Bank of the State of South Carolina, offered by Mr. MARSHALL yesterday, and referred to the committee of the whole, were ordered to be printed.

Mr. MARSHALL gave notice that he will ask leave on Tuesday next to introduce.

A Bill to amend the Act in relation to the fees of Solicitors in Equity and Masters and Commissioners in Equity.

Mr. Manning presented the report of the Commissioners of Free Schools for Clarendon, for the year 1848 ; which was referred to the committee on the College, Education and Religion. Also

The account of Thomas Weeks, constable ; which was referred to the committee on Accounts and Vacant offices. Also

The account of Thomas D. Rhame, Magistrate ; which was referred to the same committee.

The Senate granted leave to Mr. APPLEBY to withdraw from its files the petition of Archibald M. Pepper, presented at the session of the Legislature in the year 1840.

Mr. PORTER presented the account of the Charleston Mercury for public printing ; which was referred to the committee on Claims and Grievances.

#### REPORTS OF COMMITTEES.

Mr. PORTER presented the favorable report of the committee on Claims and Grievances, on the petition of Harmony Lodge, No 17, of Free Masons, praying compensation for the use of their buildings as a Court House. Also

The unfavorable report of the same committee on the petition of sundry citizens of Sumter for additional remuneration to James Moore, for a slave executed ; which were ordered for consideration to-morrow.

On motion of Mr. MOSES, a message was sent to the House of Representatives, proposing to that House to go into a ballot for Solicitors of the Northern and Southern circuits to-morrow at half past 12 o'clock.

On motion of Mr. DE TRIVILLE it was ordered that when the Senate adjourns, it shall stand adjourned to meet to-morrow at twelve o'clock.

Mr. BUCHANAN presented the petition of Wm. F. Pearson, praying compensation for taking the census of Fairfield district in the year 1808 ; which was referred to the committee on Claims and Grievances.

On motion of Mr. DE TRENILLE the Senate adjourned, at 16 minutes after 1 o'clock.



SATURDAY, DECEMBER 2, 1848.

The Senate met at 12 o'clock, pursuant to adjournment.

The Clerk read the journal of the proceedings of yesterday.

Mr. BARNES, from the committee on the part of the Senate, to count the ballots for Master in Equity, for Charleston, and Commissioners in Equity for the Districts of Darlington, Colleton, Greenville, Laurens, Newberry, Union, Williamsburg, and Horry, reported the following persons as duly elected, viz :

E. R. Laurens, Master in Equity, for Charleston.

*Commissioners in Equity :*

|               |     |                    |
|---------------|-----|--------------------|
| A. Campbell,  | for | Colleton District. |
| T. E. Evans,  | "   | Darlington,        |
| L. J. Jones,  | "   | Newberry,          |
| D. Goudelock, | "   | Union,             |
| T. P. Butler, | "   | Greenville,        |
| James Beaty,  | "   | Horry,             |
| E. J. Porter, | "   | Williamsburg.      |

And the committee further reported, that neither candidate received a majority, for the district of Laurens, and there was therefore no election for that district.

The following Message was received from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES, }  
December 1, 1848. }

*To the Honorable the President and Gentlemen of the Senate :*

This House concurs with the Senate, to go into a ballot to-morrow at half past 12 o'clock, for Solicitors of the Northern and Southern Circuits.

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

The following Message was received from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES, }  
December 1, 1848. }

*To the Honorable the President and Gentlemen of the Senate :*

This House proposes to the Senate, to go into a ballot to-morrow, immediately after the ballot for Solicitors of the Northern and Southern Circuit, for Attorney General, and immediately thereafter for Treasurer of the Upper Division.

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

The Senate concurred in so much of the Message, as relates to balloting for Treasurer of the Upper Division ; and so much as relates to the Attorney General, was ordered to lie on the table.

The President of the Senate announced, that as President, *pro tempore*, of

the Board of Trustees of the South Carolina College, he had been directed to request the attendance of the Senate, at the College Commencement, on Monday next; the communication was referred to the committee on the College, Education and Religion.

Pursuant to notice, and with leave of the Senate, Mr. WITHERSPOON introduced,

A Bill to Incorporate the King's Mountain Rail Road Company. The bill received the first reading, and was referred to the committee on Incorporations and Engrossed Acts.

Mr. GRIFFIN presented the memorial of Henry Shultz and John McKinnie, praying a renewal of their Charter for their Bridge across the Savannah river, at Hamburg and Augusta, which was referred to the committee on Roads and Buildings.

Mr. TAYLOR offered the following resolution, which was agreed to:

*Resolved*, That the committee on the Military and Pensions, be instructed to inquire into, and report to the Senate, upon the expediency of altering the present law, in regard to the Uniform of all officers of the line of and under the rank of Captain, and of adopting in its stead, an Uniform less expensive and better suited to the actual condition of the people.

Pursuant to messages interchanged between the two Houses, at the hour of half past 12 o'clock, the Senate joined the House of Representatives in balloting for Solicitors of the Northern and Southern Circuits. Messrs ASHE and BLACK were appointed the committee on the part of the Senate, to count the ballots.

Pursuant to notice, and with leave of Senate, Mr. MOSES introduced

A Bill to incorporate the Bradford Springs Female Institute Company.

The bill received the first reading and was referred to the committee on Incorporations and Engrossed Acts. Also

A Bill to repeal the 12th Section of the Act of 18th Dec. 1830, entitled "An Act to establish certain roads, bridges and ferries." The bill received the first reading, and was referred to the committee on Roads and Buildings.

Mr. MOSES presented the petition of L. B. Hauks, A. Anderson and others, members of the "Sumter Brass Band," praying for a charter of incorporation, which was referred to the committee on Incorporations and Engrossed Acts. Also

The petition of Bartlet Sanders, for recharter of his bridge over Lynch's creek; which was referred to the committee on Roads and Buildings.

Mr. GRIFFIN presented the petition of 615 citizens, residents of Edgefield, Barnwell and Orangeburg districts, praying the formation of a new Judicial district; which was referred to the committee on the Judiciary.

Mr. AZAAC D. WILSON presented the petition of sundry citizens of Darlington, praying an increase of the penalties for obstructing the passage

of fish in Lynch's creek ; which was referred to the committee on the Judiciary.

The following message was received from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES, }  
December, 2, 1848 }

*To the Honorable the President and Gentlemen of the Senate.*

This House has appointed a special committee consisting of the following gentlemen, viz: Messrs KEITT, AIKEN, W. A. OWENS, A. H. DUNKIN and EDWARD NOBLE, and asks Senate to appoint a similar committee, to meet the committee of this House, to make arrangements for the College commencement.

By order of the House.

JOHN IZARD MIDDLETON, *Speaker.*

The Senate concurred, and sent a message accordingly, informing that House, that the committee on the College, Education and Religion, consisting of Messrs. R. F. W. ALLSTON, MANNING and GRIMBALL, had been appointed the special committee on the part of the Senate.

#### REPORTS OF COMMITTEES.

Mr. TAYLOR presented the unfavorable report of the committee on Agriculture and Internal Improvements, on the petition of Wm. B. Villard, praying compensation for discoveries of the Agricultural resources of the State of South Carolina. Also

The unfavorable report of the same committee on the petition of Rebecca Rhame, praying authority to keep a Toll gate on the State road near Wasamasaw Swamp. Also

The unfavorable report of the same committee on the petition of C. Mims, praying compensation for work done on the State road ; which were ordered for consideration on Monday next.

Mr. BLACK presented the account of W. W. Purse, for work done in the Senate Chamber ; which was referred to the committee on Claims and Grievances.

The Senate granted leave to Mr. WARE to withdraw from its files the account of Dr. J. E. Bignon, for compensation for a post mortem examination.

Mr. WITHERSPOON presented the unfavorable report of the committee on Roads and Buildings, on the petition of sundry citizens of Marion district, praying for a new road. Also

The unfavorable report of the same committee on the petition of sundry citizens of Spartanbug district, praying that an old road be discontinued ; which were ordered for consideration on Monday next.

Mr. APPLEBY presented the return of the commissioners of Free

Schools for St. George's, Dorchester, for the year 1847; which was referred to the committee on the College, Education and Religion. Also

The return of the Commissioners of Free Schools for St. George's, Dorchester, for the year 1848; which was referred to the same committee. Also

The petition of the commissioners of Free Schools, for St. George's, Dorchester, asking to be allowed the usual appropriation for that Parish for the year 1847; which was referred to the committee on the College, Education and religion.

The committee on the Judiciary were discharged from the further consideration of the petition of J. S. Guignard, praying the Legislature to afford him relief by passing an Act nullifying and making void a title supposed to have been improperly obtained, and the same was referred to the Committee on Agriculture and Internal Improvements.

Mr. PORTER presented the report of City Council of Charleston of permanent and transient poor for the year 1848; and

The Report of account of expenditure for the poor of Charleston by City Treasurer for the year 1848; which were referred to the committee on Finance and Banks.

Mr. PORTER presented the memorial of Robt. Q. Pinckney, late Secretary of State, praying to be allowed to finish indexing the public records, or to be paid for the work done, which was referred to the committee on Claims and Grievances.

Mr. QUATTLEBUM offered the following resolution, which was agreed to.

*Resolved*, That the great and unprecedented depreciation in the prices of the agricultural and other productions of the country, renders it expedient and proper, that a system of general retrenchment and curtailment of the expenditures of the Government of the State should be commenced immediately; and that to consummate and bring about a result so desirable and necessary, the committee on Finance and Banks be instructed to enquire and report what deductions ought and should be made in the salaries and fees of the several public officers of the State; and that the said committee have leave to report by bill or otherwise.

#### REPORTS OF COMMITTEES.

Mr. GOODWYN presented the unfavorable report of the Committee on the Lunatic Asylum and Medical Accounts, on the memorial of the Medical Association of South Carolina, praying for the passage of a law to provide for the registration of births, deaths and marriages; also

The unfavorable report of the same committee on the account of Dr. N. H. Johnson, for compensation for a post mortem examination; which were ordered for consideration on Monday next.

Pursuant to messages interchanged, the Senate joined the House of Re-

presentatives in balloting for Treasurer of the Upper Division. Messrs. BULL and BUCHANAN were appointed the committee on the part of the Senate to count the ballots.

The following message was received from the House of Representatives:

IN THE HOUSE of REPRESENTATIVES, }  
December 2, 1848. }

*To the Honorable the President and Gentlemen of the Senate:*

This House proposes to Senate to go forthwith into a second ballot for Commissioner in Equity for Laurens District.

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

The message was ordered to lie on the table.

Mr. BUCHANAN, from the special joint committee, to which was referred the memorials of the Greenville and Columbia R. R. Company, and Charlotte and South Carolina R. R. Company, asking aid, reported

“ A bill to afford aid in constructing the Rail Roads from Columbia to Greenville and Charlotte.” The bill received the first reading, was ordered for a second reading on Monday next, and the bill and memorials were ordered to be printed.

The Senate granted leave to Mr. MANNING to withdraw from its files the petitions of D. Rhame, magistrate, and Thomas Weeks, constable.

Mr. GIST offered the following resolutions, which were referred to the committee on Federal Relations, and were ordered to be printed:

*Resolved*, That it is unnecessary and uncalled for at this time to commit the State to any particular course of action in relation to the Wilmot Proviso, or the passage by Congress of any Act prohibiting the introduction of slavery south of the Missouri compromise line.

*Resolved*, That the State of South Carolina regards the co-operation of the other slave States of great and paramount importance, and whenever the time for action arrives, she is prepared to stand shoulder to shoulder with her sisters, equally interested with her on this great question.

Pursuant to messages interchanged between the two Houses, the Senate joined the House of Representatives in a second ballot for Commissioner in Equity for Laurens District. Messrs. CALDWELL and CANNON were appointed the committee on the part of the Senate to count the ballots.

On motion of Mr. MOSES, the Reporter for the Charleston Courier was allowed a seat in the Senate chamber.

On motion of Mr. PORTER, the Reporter for the Charleston Mercury office was allowed a seat in the Senate chamber.

Mr. ASHE presented the petition of the Fire Engine Companies of the City of Charleston, praying to be exempted from militia duty after a certain

term of service in the Fire Department, which was referred to the committee on the Military and Pensions.

Mr. BLACK, from the committee on the part of the Senate to count the votes for Solicitors of the Southern and Northern Circuits, reported,

That for the Northern Circuit, Mr. J. N. Dawkins had received a majority of votes, and was therefore duly elected Solicitor for that Circuit, and that for the Southern Circuit Mr. M. L. Bonham had received a majority of votes, and was therefore duly elected solicitor of that Circuit.

On motion of Mr. GIST, it was ordered that when the Senate adjourns, it shall stand adjourned to meet on Monday next, at half past 9 o'clock.

The Senate granted leave to Mr. Porter to withdraw from its files the petition of Alexander Sharlock, asking additional compensation for the execution of certain slaves.

On motion of Mr. FELDER, a message was sent to the House of Representatives, proposing to go forthwith into the election for Attorney General. The House of Representatives immediately returned the following reply.

IN THE HOUSE OF REPRESENTATIVES. }  
December 2, 1848. }

*To the Hon. the President, and Gentlemen of the Senate:*

This House concurs with Senate, to go forthwith into a ballot for Attorney General.

By order of the House.

JOHN IZARD MIDDLETON, *Speaker*.

The Senate thereupon joined the House of Representatives in balloting for Attorney General.

Messrs. COOPER and EAVES were appointed the Committee, on the part of the Senate, to count the ballots.

Mr. BULL, from the Committee to count the ballots for Treasurer of the Upper Division, upon the first ballot, reported that neither candidate had received a majority of votes, and there was, therefore, no election.

On motion of Mr. WITHERSPOON a message was sent to the House of Representatives, proposing to that House to go forthwith into another ballot for Treasurer of the Upper Division.

The following message was received from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES. }  
December 2d, 1848. }

*To the Honorable the President and Gentlemen of the Senate:*

This House proposes to Senate to go, forthwith, into another ballot for Treasurer of Upper the Division.

By order of the House.

JOHN IZARD MIDDLETON, *Speaker*.

The Senate concurred, and sent a message accordingly, and immediately proceeded to join the House of Representatives in a second ballot, for Treasurer of the Upper Division; Messrs. ELLERBE and EVINS were appointed the committee on the part of the Senate, to count the ballots.

Mr. CALDWELL, from the committee to count the ballots for Commissioner in Equity, for Laurens District, on the second ballot, reported, that B. R. Campbell had received a majority of votes, and was therefore duly elected.

Mr. R. F. W. ALLSTON presented the favorable report of the committee on the College, Education and Religion, on the memorial of the Commissioners of Free Schools, for St. Philip and St. Michael, praying for authority to raise a fund for the erection of School Houses, which was ordered for consideration on Monday next.

Mr. COOPER, from the committee to count the ballots for Attorney General, reported that neither gentleman voted for had received a majority, and there was therefore no election.

On motion of Mr. FELDER, a message was ordered to be sent to the House of Representatives, proposing to that House, to go forthwith into a second ballot for Attorney General; to which the House of Representatives returned the following reply.

IN THE HOUSE OF REPRESENTATIVES, }  
December 2, 1848. }

*Mr. President and Gentlemen of the Senate :*

The House concurs with Senate, to go forthwith into another ballot for Attorney General.

By order of the House,

JOHN IZARD MIDDLETON, *Speaker*.

The Senate thereupon joined the House of Representatives in a second ballot for Attorney General. Messrs. FELDER and GAUSE were appointed the Committee, on the part of the Senate, to count the ballots.

On motion of Mr. WITHERSPOON, the Senate adjourned, at 28 minutes after 2 o'clock, P. M.

MONDAY, DECEMBER 4, 1848.

The Senate met at half past 9 o'clock, pursuant to adjournment.

The Clerk read the Journal, of the proceedings of yesterday.

The Hon. P. P. PALMER, Senator from St. John's Berkley, appeared in his seat in the Senate Chamber.

Mr. GIST presented the report of the Superintendant of Public Works ; which was referred to the committee on Agriculture and Internal Improvements, and was ordered to be printed.

Mr. GRIFFIN presented the petition of H. Boulware, former Sheriff of Edgefield district, praying compensation for conveying a prisoner to the Appeal Court; which was referred to the committee on Claims and Grievances ; also

The petition of sundry citizens of the town of Graniteville, praying the organization and incorporation of a Fire Engine Company ; which was referred to the committee on Incorporations and Engrossed Acts.

Mr. GAUSE, from the committee appointed on the part of the Senate to count the votes for Attorney General, reported that I. W. Hayne, had received a majority of votes, and was therefore duly elected.

On motion of Mr. MOSES a message was ordered to be sent to the House of Representatives, asking the appointment of a joint committee to confer with a committee of Senate to nominate suitable persons for President and Directors of the Bank of the State of South Carolina.

Mr. P. P. PALMER presented the return of the Commissioners of Free Schools, for St. John's Berkley for the year 1848 ; which was referred to the committee on the College, Education and Religion.

#### REPORTS OF COMMITTEES.

Mr. MOSES, from the committee on the Judiciary, to whom was referred the presentment of the Grand Jury of Laurens, at Fall Term, 1848 ; reported

A Bill to provide for a special election of Tax Collector, for Laurens district. The bill received the first reading and was ordered for a second reading to-morrow.

Mr. MOSES presented the unfavorable report of the committee on the Judiciary, on the presentment of the Grand Jury for Fairfield district, Fall Term, 1848, and for Laurens district, Spring Term, 1848 ; on the subject of concealed weapons ; also

The unfavorable report of the same committee on the petition of John Harrison, Sen., and others, citizens of Fairfield, praying that planters and



The Senate concurred, and sent a message accordingly, and immediately proceeded to join the House of Representatives in a second ballot, for Treasurer of the Upper Division; Messrs. ELLERBE and EVINS were appointed the committee on the part of the Senate, to count the ballots.

Mr. CALDWELL, from the committee to count the ballots for Commissioner in Equity, for Laurens District, on the second ballot, reported, that B. R. Campbell had received a majority of votes, and was therefore duly elected.

Mr. R. F. W. ALLSTON presented the favorable report of the committee on the College, Education and Religion, on the memorial of the Commissioners of Free Schools, for St. Philip and St. Michael, praying for authority to raise a fund for the erection of School Houses, which was ordered for consideration on Monday next.

Mr. COOPER, from the committee to count the ballots for Attorney General, reported that neither gentleman voted for had received a majority, and there was therefore no election.

On motion of Mr. FELDER, a message was ordered to be sent to the House of Representatives, proposing to that House, to go forthwith into a second ballot for Attorney General; to which the House of Representatives returned the following reply.

IN THE HOUSE OF REPRESENTATIVES, }  
December 2, 1848. }

*Mr. President and Gentlemen of the Senate :*

The House concurs with Senate, to go forthwith into another ballot for Attorney General.

By order of the House,

JOHN IZARD MIDDLETON, *Speaker.*

The Senate thereupon joined the House of Representatives in a second ballot for Attorney General. Messrs. FELDER and GAUSE were appointed the Committee, on the part of the Senate, to count the ballots.

On motion of Mr. WITHERSPOON, the Senate adjourned, at 28 minutes after 2 o'clock, P. M.

## MONDAY, DECEMBER 4, 1848.

The Senate met at half past 9 o'clock, pursuant to adjournment.

The Clerk read the Journal, of the proceedings of yesterday.

The Hon. P. P. PALMER, Senator from St. John's Berkley, appeared in his seat in the Senate Chamber.

Mr. GIST presented the report of the Superintendant of Public Works ; which was referred to the committee on Agriculture and Internal Improvements, and was ordered to be printed.

Mr. GRIFFIN presented the petition of H. Boulware, former Sheriff of Edgefield district, praying compensation for conveying a prisoner to the Appeal Court ; which was referred to the committee on Claims and Grievances ; also

The petition of sundry citizens of the town of Graniteville, praying the organization and incorporation of a Fire Engine Company ; which was referred to the committee on Incorporations and Engrossed Acts.

Mr. GAUSE, from the committee appointed on the part of the Senate to count the votes for Attorney General, reported that I. W. Hayne, had received a majority of votes, and was therefore duly elected.

On motion of Mr. MOSES a message was ordered to be sent to the House of Representatives, asking the appointment of a joint committee to confer with a committee of Senate to nominate suitable persons for President and Directors of the Bank of the State of South Carolina.

Mr. P. P. PALMER presented the return of the Commissioners of Free Schools, for St. John's Berkley for the year 1848 ; which was referred to the committee on the College, Education and Religion.

## REPORTS OF COMMITTEES.

Mr. MOSES, from the committee on the Judiciary, to whom was referred the presentment of the Grand Jury of Laurens, at Fall Term, 1848 ; reported

A Bill to provide for a special election of Tax Collector, for Laurens district. The bill received the first reading and was ordered for a second reading to-morrow.

Mr. MOSES presented the unfavorable report of the committee on the Judiciary, on the presentment of the Grand Jury for Fairfield district, Fall Term, 1848, and for Laurens district, Spring Term, 1848 ; on the subject of concealed weapons ; also

The unfavorable report of the same committee on the petition of John Harrison, Sen., and others, citizens of Fairfield, praying that planters and

farmers may be allowed to prove their book accounts ; which was ordered for consideration to-morrow.

Mr. EVINS, from the committee on the part of the Senate to count the ballots for Treasurer of the Uper Division, reported that R. C. Griffin had received a majority of votes, and was therefore duly elected.

Mr. HANNA presented the favorable report of the committee on the Military and Pensions, on the petition of James Bennett, administrator of Reuben Bennett, praying for arrears of pension due his intestate ; which was ordered for consideration to-morrow.

The President announced that Messrs. MOSES, MAZYCK, WILLIAMS, MARSHALL, BARNES, R. F. W. ALLSTON and WARE, were appointed the special committee on the part of the Senate, to nominate suitable persons for President and Directors of the Bank of the State of South Carolina, and on motion of Mr. MOSES, Mr. HUGER was added to the committee, and a message was sent to the House of Representatives accordingly.

The House of Representatives sent to the Senate the report of the joint special committee of that House in relation to the commencement of the South Carolina College, and the report having been ordered for immediate consideration, it was concurred in and returned to the House of Representatives.

At the hour of 10 o'clock, the Senate proceeded to join the procession and attended the commencement of the South Carolina College.

The Senate returned from the commencement at 10 minutes to 2 o'clock. The President resumed the chair, and the Senate proceeded to business.

Mr. SKIPPER submitted the presentment of the Grand Jury of Horry District, at Fall Term 1848, which was read and was referred to the committee on Privileges and Elections.

The committee on Incorporations and Engrossed Acts was discharged from the further consideration of the petition of the Charleston Bridge Company, praying a removal of their Charter, and the same was referred to the committee on Roads and Buildings.

Mr. MOSES offered the following Resolution.

*Resolved*, That a message be sent to the House of Representatives, asking that House to appoint a committee, to confer with the committee already appointed by the Senate, in relation to a suitable room for the Senate records. The Resolution was agreed to, and a message was sent accordingly.

Mr. MARSHALL presented the petition of sundry citizens of Abbeville, praying for an Act of incorporation of the Trustees of the Greenwood Baptist Schools, which was referred to the committee on Incorporations and Engrossed Acts. Also,

The petition of sundry citizens of Abbeville, praying for an Act of Incor-

poration of the Mount Moriah Baptist Church, which was referred to the same committee.

Mr. MOSES presented the return of the Commissioners of Free Schools for Claremont for the year 1848, which was referred to the committee on the College, Education and Religion.

Mr. EAVES presented the return of the Commissioners of Free Schools for Chester District, for the year 1848, which was referred to the committee on the College, Education and Religion.

Mr. HANNA presented the account of John C. Evans, late Clerk of Chesterfield District, for money paid by him for advertising the applications of State Prisoners for the benefit of the Insolvent Debtors Act, which was referred to the Committee on Claims and Grievances.

On motion of Mr. BUCHANAN, it was ordered that when the Senate adjourns, it shall stand adjourned to meet to-morrow at 12 o'clock.

Mr. PORTER gave notice, that on to-morrow he will ask leave to introduce

A Bill to alter and amend the Charter of the Cotton Manufacturing Company.

Mr. PORTER presented the petition of Henry Missroon, J. W. Caldwell and others, praying for the repeal of an Act passed A. D. 1841, entitled "An Act to prevent the citizens of New York, from carrying slaves or persons held to service out of this State, and to prevent the escape of persons charged with the commission of any crime," which was referred to the committee on Federal Relations.

The committee on Claims and Grievances was discharged from the further consideration of the petition of A. R. Johnson, praying compensation for a slave executed.

Mr. PORTER presented the favorable report of the committee on Claims and Grievances, on the account of Wm. J. Francis, proprietor of the Sumter Banner, for printing, which was ordered for consideration to-morrow.

Mr. GAUSE presented the petition of the Commissioners of Public Buildings for Marion District, for an additional appropriation to build a new Jail, which was referred to the committee on Roads and Buildings.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

The unfavorable report of the committee on Claims and Grievances, on the petition of sundry citizens of Sumter District, praying for additional compensation to James Moore, for a slave executed, was agreed to.

The report of the same committee upon the petition of Harmony Lodge No. 17, praying compensation for the use of their building as a Court-room, (recommending an appropriation of one hundred dollars therefor) was

agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The unfavorable report of the committee on Roads and Buildings, on the petition and counter petition of sundry citizens of Spartanburg in relation to an old road (recommending that the prayer of the direct petition for discontinuance of the road be not granted,) was agreed to by the Senate.

The unfavorable report of the same committee on the petition of sundry citizens of Marion district for a new road, was ordered to lie on the table, and leave was granted to Mr. GAUSE to withdraw the petition.

The committee on the Lunatic Asylum and Medical Accounts was discharged from the further consideration of the Memorial of the Medical Association of South Carolina, praying the passage of an Act to provide for the Registration of Births, Deaths and marriages.

The unfavorable report of the same committee on the petition of Dr. N. H. Johnson, praying compensation for a Post Mortem examination, was agreed to.

The unfavorable report of the committee on Agriculture and Internal Improvements, on the petition of Wm. B. Villard, praying compensation for developing the Agricultural resources of the State, and

The unfavorable report of the same committee on the petition of Rebecca Rhame, praying for permission to keep a toll gate on the State road, near Wassamassaw Swamp, and

The unfavorable report of the same committee on the petition of C. Mims praying compensation for work done on the State Road, were agreed to.

The favorable report of the committee on the College Education and Religion, on the petition of the Commissioners of Free Schools for St Philip and St. Michael's, praying for authority to raise a fund to erect School Houses; which report recommends that the prayer be granted, ("provided that the fund so raised, shall not in any one year exceed the amount annually assigned to said parishes out of the State appropriation for Free Schools,") was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The general orders having been disposed of, Mr. MOSES offered the following resolution, which was ordered for consideration to-morrow.

*Resolved*, That a message be sent to the House of Representatives, proposing Friday the 15th inst. as the day for the adjournment of the present session of the Legislature.

On motion of Mr. SKIPPER, the Senate adjourned, at 10 minutes past 2 o'clock P. M.

## TUESDAY, DECEMBER 5, 1848.

The Senate met at 12 o'clock, pursuant to adjournment.

The Clerk read the journal of the proceedings of yesterday.

The Hon. DAVID WALKER, Senator from St. Batholomew's parish, appeared in his seat in the Senate chamber.

Mr. GRIFFIN presented the memorial of the Intendant and Wardens of the Town of Hamburg; also, of sundry citizens of the same Town, praying that an appropriation be made for improving, in part, the navigation of the Savannah river, which was referred to the committee on Agriculture and Internal Improvement.

Mr. WITHERSPOON presented the Report of the Regents of the Lunatic Asylum. Also,

A memorial and reports from the Physician and Superintendent, for the year 1848; which were referred to the committee on the Lunatic Asylum and Medical Accounts, and were ordered to be printed.

Message No. 2, of his Excellency the Governor, was communicated to the Senate, transmitting a Digest of the Negro Laws of South Carolina, by the Hon. J. B. O'Neill, and a Digest of the Laws in relation to Magistrates, prepared by B. C. Pressly, under a contract with the Governor. The Message was read, and with the accompanying Digests, was referred to the committee on the Judiciary.

• Mr. HANNA presented the Report of the Board of Visitors of the State Military Academies; which was referred to the committee on the Military and Pensions.

## REPORTS OF COMMITTEES.

Mr. GRIFFIN presented the favorable report of the committee on Incorporation and Engrossed Acts, on a Bill to incorporate the King's Mountain Rail Road Company, recommending the passage of the bill; which was ordered for consideration to-morrow, and the bill was ordered to be printed.

Mr. GRIFFIN, from the same committee, to which had been referred,

The petition of sundry citizens of Sumter district, praying the Incorporation of Bradford Springs Female Institute Company, and a Bill to incorporate the Bradford Springs Female Institute Company; and also,

The petition of sundry citizens of Winnsboro', and a Bill to incorporate the Town of Winnsboro', submitted reports, severally, recommending the passage of the bills; the reports were ordered for consideration to-morrow.

The following message was received from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES, }  
December 4, 1848. }

*To the Honorable the President, and Gentlemen of the Senate:*

This House has appointed Messrs. W. D. DeSaussure, Alston, McCaw, Fort, Harvey, Perry, and Calhoun, a committee to nominate suitable persons to take the census of the free white inhabitants of this State, and asks Senate to appoint a similar committee, to meet the committee of the House on that subject.

By order of the House

JOHN IZARD MIDDLETON, Speaker.

The message was concurred in, and the committee on Privileges and Elections, consisting of Messrs. Mazyck, Moses, Gist, Evins and Hannah, were appointed the committee, to meet the Committee of the House on that subject, and a message was sent to the House of Representatives accordingly.

The following message was received from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES, }  
December 4, 1848. }

*To the Honorable the President, and Gentlemen of the Senate:*

The House concurs with Senate in appointing a Special Committee to meet the committee of the Senate, to nominate suitable persons for President and Directors of the Bank of the State of South Carolina, and have appointed Messrs. J. H. Read, Jr., E. P. Smith, D. S. Taylor, Jas. M. Nelson, G. W. Pressly, A. H. Dunkin, and B. J. Johnson, to meet a similar committee of Senate, for that purpose.

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

The following message was received, from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES, }  
December 4, 1848. }

*To the Honorable the President, and Gentlemen of the Senate:*

This House concurs with Senate in appointing a Special Committee on the subject of providing a suitable room for the Senate Records, and has appointed Messrs. Irby, Sullivan, and Elliott, to meet a similar committee of Senate upon that subject.

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

The House of Representatives sent to the Senate for concurrence,

A Resolution to appoint a committee to nominate suitable persons to take the census of this State, which was ordered to lie on the table.

The House of Representatives sent to the Senate for concurrence.

The reports of the Committee on Claims of the House of Representatives, on the account of J. W. Gardner, for services as constable, in attending on the Court of Equity.

On the account of M. E. Munro, Editor of the Southern Patriot.

On the account of P. M. Johnson, for binding rules of the House.

On the account of Burt & Bridewell, for public printing.

On the petition of Jacyntha Stansell; all of which were referred to the Committee on Claims and Grievances. Also,

The report of the same committee, on the petition of Harmony Lodge No. 17, of Barnwell District, which was ordered to lie on the table. Also,

The Report of the committee on Internal Improvements of the House of Representatives, on the petition of Elijah Gayden, asking the use of a portion of the banks of Rocky Mount Canal, which was referred to the committee on Agriculture and Internal Improvements. Also,

The report of the same committee, on the supplemental report of E. Drayton Earle, late superintendant of Public Works, which was referred to the committee on Agriculture and Internal Improvements.

The House of Representatives also sent to the Senate

A Bill to authorize and empower the Commissioners of Free Schools of the Parishes of St. Philip and St. Michael, to raise a fund for the building of Free School Houses, which had received two readings in the House of Representatives. The bill received the first reading in the Senate, and was referred to the committee on the College, Education, and Religion.

Mr. BLACK presented the account of the Daily Telegraph for printing, which was referred to the committee on Claims and Grievances.

Mr. BLACK submitted the presentment of the Grand Jury, for Richland District, Spring Term, 1848, which was read and was referred to the Committee on the Judiciary.

Mr. ISAAC D. WILSON presented the memorial of the Wilmington and Manchester Rail Road Company, praying aid from the State, which was referred to the Special Joint Committee, to which had been referred the memorials of the Greenville and Columbia, and Charlotte and South Carolina Rail Road Companies.

#### REPORTS OF COMMITTEES.

Mr. HANNA presented the favorable report of the committee on the Military and Pensions, on "a Bill to incorporate the Fairfield Rifle Guards and to define its recruiting limits," recommending its passage—which was ordered for consideration to-morrow.

The committee on the Military and Pensions was discharged from the further consideration of the petition of the officers of the Fairfield Rifle Guards for an Act of incorporation and to define the recruiting limits of



said company, and the same was referred to the committee on Incorporations and Engrossed Acts.

Pursuant to notice, and with leave of Senate, Mr. MARSHALL introduced a Bill to alter and amend an Act entitled "An Act to regulate the fees of the officers of the Courts of Law and Equity in this State, and for other purposes therein mentioned," passed the 19th December, 1827.

The Bill received the first reading and was referred to the committee on the Judiciary.

Mr. MAZYCK offered the following resolutions, which were referred to the committee on Federal Relations, and were ordered to be printed:

Whereas, the Congress of the United States, at its last session, engrafted upon an Act for organizing the government of Oregon, a provision, whereby slavery is excluded from that territory. And whereas, the soil, climate and remoteness of the said territory, are such as to render it impracticable for any of the people of the slaveholding States to migrate thither to any advantage with their slaves.

*Therefore resolved*, That the said provision is a gratuitous insult to the slaveholding States, and is a mere nullity, in no wise binding upon or upon the citizens of Oregon, but indicates the prevalence, in the councils of the confederacy, of a spirit of hostility to an institution more essential to the security, order, industry, and civilization of the slaveholding States than the confederacy itself.

*Resolved*, That we abstain, at this time, from expressing any opinion as to the course of action which ought to be pursued by the slaveholding States, in case a similar provision should be adopted with reference to the territories of New Mexico and California; because we feel the fullest assurance, that during the administration of the present incumbent of the executive chair of the United States, no such law can be passed; and before the meeting of Congress under the administration of his successor, this body will be again assembled.

Pursuant to notice and with leave of the Senate, Mr. MAZYCK introduced a Bill further to amend an Act, entitled "An Act for the abolition of the rights of Primogeniture, and for giving an equitable distribution of the real estates of intestates, and for other purposes." The Bill received the first reading and was referred to the committee on the Judiciary, and was ordered to be printed.

Mr. MOSES presented the petition of Richard Singleton, executor of John Singleton, for compensation for a slave executed; which was referred to the committee on Claims and Grievances.

Mr. WITHERSPOON gave notice, that on to-morrow, he will ask leave to introduce a Bill to confirm a grant to James M. Harris, which, by mistake, was issued to James W. Harris.

Mr. BLACK presented the petition of sundry citizens of Columbia, for leave to build a fire proof building on Court House square, to be used as a Post Office; which was referred to the committee on Roads and Buildings.

Mr. BULL presented the return of the Commissioners of Free Schools for St. Andrews parish; which was referred to the committee on the College, Education and Religion.

Mr. QUATTLEBUM presented the petition of sundry citizens of that part of Orange parish, lying within the Judicial district of Lexington, praying an amendment of the Constitution, so as to make it a part of the election district of Lexington, heretofore called Saxe Gotha; which was referred to the committee on the Judiciary.

Mr. GAUSE gave notice, that on to-morrow he will ask leave to introduce A Bill to increase the number of magistrates for Marion district.

Mr. PORTER presented the petition of sundry citizens of the parishes of St. Philip and St. Michael, praying that they may be relieved from the burthen of taking out two licenses for their drays, carts, and other vehicles, in passing from the City to the Neck; which was referred to the committee on the Judiciary.

Mr. DETREVILLE offered the following resolution, which was referred to the committee on Finance and Banks, and was ordered to be printed.

*Resolved*, That the time has arrived when, with a view to the final winding up of the Bank of the State, it is expedient to place the said Bank under the exclusive control of a Board of Commissioners, to be appointed by the Legislature, with instructions, first, to extend to all debtors of the said Bank, where sufficient security has been or can be given—such further time, not exceeding five years, as they may deem advisable. Second, to convert all its other assets, as soon as may be conveniently done, into cash, and apply it to the speedy extinguishment of the bills and other liabilities of the said Bank, as far as the said assets can be made to extend. And third, to report to this Legislature, at each session, a full account of all they may have done towards the final closing of the said Bank.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

A Bill to provide for a special election for Tax Collector for Laurens District, which had been reported by the Committee on the Judiciary, to which had been referred the Presentment of the Grand Jury of Laurens District, Fall Term, 1848, received the second reading, was agreed to, and was ordered to be sent to the House of Representatives.

A Bill to afford aid in constructing the Rail-roads from Columbia to Greenville and Charlotte, which had been reported by the Joint Special Committee, to which had been referred the memorials of the Greenville

and Columbia and Charlotte and South Carolina Rail-roads, was before the Senate on the second reading; and

On motion of Mr. MOSES, the Bill was recommitted.

A Resolution for the adjournment of the Legislature on Friday, the 15th. was, on motion of Mr. MOSES, ordered to lie on the table.

The Report of the Committee on Claims and Grievances on the account of the Sumter Banner newspaper, (recommending payment of a portion of the account,) was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The Committee on the Judiciary was discharged from the further consideration of the petition of John Robinson and others, citizens of Fairfield, praying that farmers and planters may be permitted to prove their accounts by oath.

The same committee was also discharged from the further consideration of the Presentments of the Grand Juries for Fairfield, Fall Term, 1848, and for Laurens District, Spring Term, 1848, in relation to the practice of carrying concealed deadly weapons.

The favorable Report of the Committee on the Military and Pensions, on the petition of James Bennett, administrator of Reuben Bennett, praying arrears of pension due his intestate, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The General Orders having been disposed of,

On motion of Mr. BARNES, it was ordered that when the Senate adjourns, it shall stand adjourned to meet to-morrow, at 12 o'clock.

On motion of Mr. MARSHALL, the Reporter for the Southern Chronicle was permitted to have a seat in the Senate Chamber.

On motion of Mr. GIST, a Message was ordered to be sent to the House of Representatives, asking leave of that House, to add Mr. CANNON, the Senator from Spartanburg, to the Joint Special committee, on the part of the Senate, to nominate suitable persons for President and Directors of the Bank of the State of South Carolina.

Mr. APPLEBY presented the petition of A. M. Pepper and Company, praying compensation for work done on the State Road, which was referred to the committee on Agriculture and Internal Improvements.

Mr. ALLSTON presented the Return of the Commissioners of Free Schools for Prince George Winyaw, for 1848, which was referred to the committee on the College, Education and Religion; and also,

The account of the Transient Poor fund, for Georgetown District, for 1848, which was referred to the committee on Finance and Banks; and also,

The petition of the Commissioners of the Poor, for Georgetown District, praying for the annual appropriation for Transient Poor, which was referred to the same committee.

Mr. PERRY presented the petition of Joseph I. Waring, praying compensation for a slave executed, which was referred to the committee on Claims and Grievances.

Mr. PERRY presented the Return of the Commissioners of Free Schools for St. Paul's parish, for the year 1848, which was referred to the committee on the College, Education and Religion.

The committee on Incorporations and Engrossed Acts was discharged from the further consideration of the petition of the Trustees of the Black Swamp Academy, praying a renewal of their Charter of Incorporation, and the Senate granted leave to Mr. JOHNSON to withdraw the petition.

Mr. MOSES offered the following resolution, which was agreed to:

*Resolved*, That the committee on Finance and Banks be instructed to enquire and report upon the expediency and propriety of providing by law, for the subscription, on the part of the State, in the Wilmington and Manchester Rail Road, for an amount of stock, equal to two-thirds of the amount taken by the stockholders of said company, the subscription to be paid by proceeds of sale, at par, of any portion of the State stock, in the South Carolina Rail Road Company, or bonds of the said company due the State, or any portion of the surplus revenue, which may be hereafter received from the General Government, under the Act of Congress; and that the said committee have leave to report by Bill or otherwise.

The Senate granted leave to Mr. BUCHANAN to withdraw from its files the petition of Edward Lewis, praying to be refunded money overpaid for Catawba lands, purchased from the State.

On motion of Mr. MOSES, the Senate adjourned, at 17 minutes past 1 o'clock.

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WEDNESDAY, DECEMBER 6, 1848.

The Senate met at 12 o'clock, pursuant to adjournment.

The clerk read the Journal of the proceedings of yesterday.

Mr. WITHERSPOON presented the petition of the Chaplain and Students of the South Carolina College, praying for an appropriation to build a new chapel; which was referred to the committee on the College, Education and Religion.

The Senate granted leave to Mr. BLACK to withdraw from its files the petition of R. E. Russell, for work done on the State House grounds.

Mr. BLACK presented the petition of R. E. Russell, for work done on the State House Grounds; which was referred to the committee on Claims and Grievances. Also

The petition of Dr. J. S. Crane, praying compensation for a Post Mortem examination; which was referred to the committee on the Lunatic Asylum and Medical Accounts.

Mr. DeTREVILLE offered the following resolution, which was agreed to.

*Resolved*, That a committee of three on the part of the Senate, be appointed to wait on our distinguished Senator, the Hon. John C. Calhoun, now in the Capital on his way to Washington City, and tender to him a seat on the floor; Messrs. DeTREVILLE, FELDER and ASHE, were appointed the committee.

### REPORTS OF COMMITTEES.

Mr. MOSES presented the report of the special joint committee, appointed to confer with a committee of the House of Representatives on the selection of a room for the office of the Clerk of the Senate, which report states that every room in the State House is in possession of the different officers and committees of the House of Representatives, and that the committee are unable to procure any room for the Senate records.

The report was ordered to lie on the table.

Mr. MOSES also presented the report of the special committee on the communication of the Clerk of the Senate in relation to the Senate records; which was ordered for consideration to-morrow, and to be printed. Also

The unfavorable report of the committee on the Judiciary, on "A Bill to give the election of Commissioners in Equity to the people;" which was ordered for consideration to-morrow. Also

The unfavorable report of the same committee on the petition of sundry citizens of Lexington district praying that the question of retailing ardent spirits, to be drank at the place where sold, may be determined by ballot by the voters of the respective districts, cities, towns and villages; which was ordered for consideration to-morrow. Also

The unfavorable report of the same committee, on the petition of sundry citizens of Beat No. 3, of the upper Battallion of 15th Regiment, and of sundry citizens of Abbeville, praying an appointment of additional Magistrates; which was ordered for consideration to-morrow. Also

The unfavorable report of the same committee on the presentment of the Grand Jury of Lexington district, for Spring Term 1848; which was ordered for consideration to-morrow. Also.

The unfavorable report of the same committee on the presentment of

the Grand Jury for Greenville district, Fall Term, 1848; which was ordered for consideration to-morrow.

Mr. MOSES, from the same committee, to whom was referred a petition of citizens of Sumter and Darlington districts, praying an increase of the penalty for obstructing the passage of fish up Lynch's creek; reported

A Bill to increase the penalty for obstructing the passage of fish up Lynch's creek. The bill received the first reading, and was ordered for a second reading to-morrow, and to be printed.

Mr. MAZYCK, from the committee on Privileges and Elections, to which had been referred the presentment of the Grand Jury of Kershaw District, Fall Term, 1848, reported.

A Bill to amend the tenth Section of the first Article of the Constitution of this State. The Bill received the first reading, and was ordered for a 2d reading to-morrow, and to be printed.

The committee on Privileges and Elections was discharged from the further consideration of the presentment of the Grand Jury of York District, Fall Term, 1848, in relation to betting on elections; and the same committee was discharged from the further consideration of the presentment of the Grand Jury for Horry District, Fall Term, 1848, recommending that Managers of Elections be paid for their services.

Mr. MOSES offered the following resolution, which was agreed to:

*Resolved*, That the committee of the Senate, to which was recommitted the "Bill to afford aid in constructing the Rail Roads from Columbia to Greenville and Charlotte," do enquire and report whether the fund referred to in the said Bill should be so distributed, as to divide the same equally between the Greenville and Columbia Rail Road, the Charlotte and South Carolina Rail Road, and the Wilmington and Manchester Rail Road; and if, in their opinion, the said fund should not be regarded as sufficiently ample to be of benefit and avail to the said Roads, if divided between the three, that the said committee do report by bill or otherwise what aid should be extended by the State to the said Wilmington and Manchester Rail Road—out of what fund, and on what conditions.

Pursuant to notice, and with leave of Senate, Mr. GAUSE introduced

A Bill to increase the number of Magistrates for Marion District. The Bill received the first reading and was referred to the committee on the Judiciary.

Pursuant to notice Mr. WITHERSPOON introduced

A Bill to confirm a grant to James M. Harris, which, by mistake, was issued to James W. Harris. The Bill received the first reading and was referred to the committee on the Judiciary.

#### REPORTS OF COMMITTEES.

Mr. BUCHANAN presented the unfavorable report of the committee on Finance and Banks on

A Bill to restrain the issue of small Bank Bills, and for other purposes ; the report was ordered for consideration to-morrow.

The committee on Agriculture and Internal Improvements was discharged from the further consideration of the Memorial of James Gadsden and others, for the right to connect by Rail Road the South Carolina Rail Road with the waters of Charleston harbor ; and the Memorial was referred to the committee on Incorporations and Engrossed Acts.

Mr. PORTER presented the unfavorable report of the committee on Claims and grievances, on the petition of A. Palmer, praying payment of his account for work done in the State House ; and also

The unfavorable report of the same committee on the petition of H. Boulware, former Sheriff of Edgefield district, praying compensation for conveying prisoners from Edgefield to Columbia ; and also

The favorable report of the same committee on the petition of F. J. Sessions, administrator of J. T. Jessions, late Sheriff of Horry district, for payment for blankets furnished the Jail of that district ; and also

The favorable report of the same committee on the account of Abner Bushnell, for making coffins for prisoners who died in jail, (recommending payment of \$8, one half of the account ; ) all of which were ordered for consideration to-morrow.

Mr. PORTER presented the petition of the Lafayette Artillery and German Artillery, praying an appropriation for two new Batteries and a gunshed ; which was referred to the committee on the Military and Pensions.

Mr. QUATTLEBUM gave notice that on tomorrow he will ask leave to introduce A Bill to incorporate the Laurel Falls Manufacturing Company.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

A Bill to incorporate the Fairfield Rifle Guards, and to define the recruiting limits of the said company, was ordered to lie on the table.

A Bill to incorporate the town of Winnsborough, received the second reading, was agreed to, and was ordered to be sent to the House of Representatives.

The General Orders were suspended.

Mr. DE TREVILLE, from the Committee appointed to wait on the Hon. John C. Calhoun, and invite him to a seat in the Senate chamber, reported that the Committee had performed the duty assigned them, and that Mr. Calhoun had informed the Committee he would make his appearance in the Senate at 1 o'clock to-morrow.

At 1 o'clock the Senate proceeded to the Special Order for this hour, which had been referred to a Committee of the Whole, viz: so much of the Message No. 1 of His Excellency the Governor, as relates to the Bank of the State of South Carolina, and the Resolutions offered by the Senator from Abbeville, (Mr. MARSHALL,) upon the same subject.

On motion of Mr. MOSES the Special Order was discharged, and the same subjects were made the Special Order, to be referred to a Committee of the Whole House on to-morrow, at half-past 1 o'clock.

Mr. MARSHALL offered the following amendment to the Resolutions offered by him.

Strike out, in the third Resolution, all after the Bank of the State, and substitute the following Resolutions.

4. *Resolved*, That measures ought now to be taken, for gradually calling in the borrowed capital of the Bank, without increasing its other liabilities, and for applying the same to the discharge or security of the public debt.

*Resolved*, That the other business of the Bank, during the remaining term of its charter, ought to be gradually diminished, and placed in such condition as that its assets may then be put in liquidation with the least possible injury to the public, or to individuals.

The amendment was ordered to be referred to the Committee of the Whole, to sit to-morrow, at half-past 1 o'clock, and was ordered to be printed.

The Special Order having been disposed of, the Senate resumed the

#### GENERAL ORDERS OF THE DAY,

A Bill to incorporate the Bradford Springs Female Institute Company. The Bill received the second reading, was agreed to, and was ordered to be sent to the House of Representatives.

The General Orders having been disposed of, the Senate proceeded to the first reading of A Bill to afford aid in constructing the Rail-roads from Columbia to Greenville and Charlotte, sent from the House of Representatives, which had received two readings in that House. The first reading was concluded, and the Bill was ordered to lie on the table.

On motion of Mr. WITHERSPOON, it was ordered that when the Senate adjourns it shall stand adjourned to meet to-morrow, at 12 o'clock.

On motion of Mr. ASHE, the Senate adjourned, at 20 minutes to 2 o'clock.



THURSDAY, DECEMBER 7, 1848.

The Senate met at 12 o'clock, pursuant to adjournment.

The Clerk read the Journal of the proceedings of yesterday.

#### REPORTS OF COMMITTEES.

Mr. GRIFFIN presented the unfavorable reports of the committee on Incorporations and Engrossed Acts,

On so much of the petition of the Officers of the Fairfield Rifle Guards as prays for an Act of Incorporation, and

On the petition of Charles Jugnot and Oliver B. Hilliard, praying the incorporation of Mount Pleasant Ferry Company; which were ordered for consideration to-morrow.

Mr. MOSES presented the petition of Anna Haynesworth, praying for a change of road through her plantation; which was referred to the committee on Roads and Buildings.

Mr. BUCHANAN presented the report of the special joint committee on the part of the Senate, on A Bill to afford aid in constructing the Rail Roads, from Columbia to Greenville and Charlotte; which bill had been recommitted. The report was placed in the general orders for this day.

Mr. BUCHANAN, from the same committee, to which had been referred the Memorial of the Wilmington and Manchester Rail Road Company, asking Legislative aid, reported

A Bill to aid in the construction of the Wilmington and Manchester Rail Road.

The bill received the first reading, and was ordered for a second reading to-morrow, and to be printed.

Mr. HANNA presented the account of W. L. Robinson, Sheriff of Chesterfield, for blankets furnished for the Jail of that district; which was referred to the committee on Claims and Grievances.

The President laid before the Senate, the report of the Solicitor of the Western Circuit, concerning district offices and officers; which was referred to the committee on the Judiciary.

#### REPORTS OF COMMITTEES.

Mr. HANNA presented the unfavorable report of the committee on the Military and Pensions, on the petition of sundry citizens of Beats, No 2. and 4, of the upper Battallion, and Beat No. 3, of the lower Battallion of the 15th Regiment, in relation to a division of those Beats. And also

The unfavorable report of the same committee, on the petition of sundry citizens of Beat No. 3, upper Battallion of the 15th Regiment, praying a division of said Beat. And also

The favorable report of the same committee on a resolution in relation to the Uniform of the Militia of this State. And also

The favorable report of the same committee on the petition of William Glaze, praying payment for two Cannon, purchased for the Richland Light Artillery; all of which were ordered for consideration to-morrow.

Mr. COOPER presented the petition of Alexander McCants, Gaolor for Williamsburg, praying payment for blankets, furnished to prisoners in Jail; which was referred to the committee on Claims and Grievances.

Mr. GAUSE presented the petition of citizens of Marion District, and village, praying a repeal of the Act of incorporation of that village, passed at the last session of the Legislature.

Mr. GAUSE also presented the petition of sundry citizens of Marion village, praying an amendment of the Act of incorporation of said village, passed at the last session of the Legislature; both of which were referred to the Committee on Incorporations and Engrossed Acts.

Mr. MOSES presented the private report of the President of the Bank of the State of South Carolina, of the debts due by Officers and Directors of the Parent Bank and its Branches. The report was ordered to lie on the Clerk's desk, for the private inspection of Senators.

Mr. GRIFFIN presented the report of the President of the Bank of the State of South Carolina, in reply to a Resolution of the Senate, in 1846, in relation to the expediency of committing the government of the Bank to five persons, with the President, who shall receive salaries for their services.

The report was referred to the Committee on Finance and Banks, and was ordered to be printed.

The Senate granted leave to Mr. JOHN WILSON to withdraw from its files the petition of C. Mims, for compensation for work done on the State road.

Mr. EVINS presented the petition of F. W. Norris and Samuel M. Wilkes, praying for the erection of fire-proof buildings in the public square in the town of Anderson; which was referred to the Committee on Road and Buildings.

Mr. BLACK presented the petition of J. C. Price and M. H. Berry, praying payment for work done in the Senate chamber; which was referred to the Committee on Claims and Grievances.

On motion of Mr. BUCHANAN, the Senate took up from the table

A Bill to afford aid in constructing the Rail-roads from Columbia to Greenville and Charlotte; which had received one reading in the Senate and two readings in the House of Representatives. The Bill received the second reading, and the consideration was suspended before the question of agreeing to the Bill was taken.

Mr. PORTER presented the memorial of sundry citizens of St. Philip and St. Michael, asking the appointment of a standing committee of the Senate, whose duty it shall be to take charge of matters connected with commerce, manufactures, and the mechanic arts. The petition was referred to a special committee, consisting of Messrs. PORTER, MOSES, and GRIFFIN.

Mr. PORTER presented the petition of Thomas J. Gantt, Clerk of the Court of Appeals, asking compensation for extra services, in copying opinions of the Appeal Court.

Mr. PORTER also presented the petition of James S. Shingler, sheriff of Charleston District, for compensation for removing prisoners, for blankets furnished the jail, and other services; which was referred to the Committee on Claims and Grievances.

The Committee on the Judiciary was discharged from the further consideration of the petition of sundry citizens of the Parishes of St. Philip and St. Michael's, praying that they may be relieved from the burthen of taking out two licenses for their drays, carts and other vehicles, in passing from the city to the neck; and the petition was referred to the committee on Claims and Grievances.

The following message was received from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES, }  
December 6, 1848. }

*To the Honorable the President and Gentlemen of the Senate.*

This House grants leave to the Senate to add Mr. CANNON to the Special Joint Committee, appointed to nominate suitable persons for President and Directors of the Bank of the State of South Carolina.

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

Mr. WITHERSPOON presented the Report of the Comptroller General, in obedience to a Resolution of the Senate, of 17th December, 1847. The Report was referred to the Committee on Finance and Banks, and was ordered to be printed.

At the hour of 1 o'clock the Hon. John C. Calhoun, Senator in the Congress of the United States, was conducted to a seat in the Senate Chamber, by the Committee appointed for that purpose yesterday. The Senator remained for the space of one hour and a half in the Chamber, during which time the Senators present waited upon him and tendered their respects.

The Senate resumed the consideration of a Bill to afford aid in constructing the Rail Roads from Columbia to Greenville and Charlotte.

On the question of agreeing to the Bill, the yeas and nays were ordered to be taken, and they are as follows:

Those who voted in the affirmative are

|                               |                        |
|-------------------------------|------------------------|
| The Hon. ANGUS PATTERSON, and |                        |
| Messrs. R. F. W. Allston,     | Messrs. B. G. Allston, |
| Ashe,                         | Black,                 |
| Bull,                         | Buchanan,              |
| Caldwell,                     | Cannon,                |
| De Trevillo,                  | Eaves,                 |
| Ellerbe,                      | Evins,                 |
| Gause,                        | Gist,                  |
| Goodwyn,                      | Griffin,               |
| Grimball,                     | Hibben,                |
| Irby,                         | Johnson,               |
| Manning,                      | Marshall,              |
| Mazyck,                       | Moses,                 |
| P. P. Palmer,                 | J. S. Palmer,          |
| Perry,                        | Porter,                |
| Skipper,                      | Walker,                |
| Ward,                         | Ware,                  |
| I. D. Wilson.                 |                        |

Those who voted in the negative are

|                  |                 |
|------------------|-----------------|
| Messrs. Appleby, | Messrs. Barnes, |
| Cooper,          | Felder,         |
| Hanna,           | Huger,          |
| Quattlebum,      | Taylor,         |
| Williams,        | J. Wilson,      |
| Witherspoon.     |                 |

YEAS 34—NAYS 11.

The Bill was therefore agreed to, and was ordered to be returned to the House of Representatives.

At the hour of half-past 1 o'clock, the Senate proceeded to the special order for this hour, viz: So much of the Message No. 1 of His Excellency the Governor, as relates to the Bank of the State of South Carolina; the Resolutions offered by the Senator from Abbeville, Mr. MARSHALL, and the amendment to the same, offered by the same gentleman.

Pursuant to an order previously made, the Senate resolved itself into a Committee of the whole.

Mr. WITHERSPOON, the Senator from York, was called to the chair, and after some time spent therein, the committee rose, the President resumed the chair, and the Senate proceeded to business.

Mr. WITHERSPOON reported that the committee had had the several matters committed to them, under consideration, had made progress and asked leave to sit again to-morrow, at 1 o'clock, and the same was ordered.

Mr. MOSES, from the committee on the Judiciary, to which had been referred the petition of James McCluney, praying that certain property, liable to escheat, may be vested in Mary McCreight, reported

A Bill to vest the right, title, and interest of the State, in and to all the personal estate of David McCreight, lately deceased, in Mary McCreight. The Bill received the first reading, and was ordered for a second reading to-morrow.

Pursuant to notice, and with leave of Senate, Mr. PORTER introduced

A Bill to authorize a reduction of the Capital of the Charleston Cotton Manufacturing Company. The Bill received the first reading and was referred to the committee on Incorporations and Engrossed Acts.

Pursuant to notice, and with leave of Senate, Mr. QUATTLEBUM introduced

A Bill to incorporate the Laurel Falls Manufacturing Company. The Bill received the first reading and was referred to the committee on Incorporations and Engrossed Acts.

#### PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate the Reports of the committee on Claims of that House.

On the account of John E. Grist for public printing.

On the account of W. F. Durisoe for public printing.

On the account of O. H. Wells for public printing.

On the account of the Camden Journal for public printing.

On the account of the Abbeville Banner for public printing.

On the account of Todd & Russell for public printing.

On the account of Burt & Doby for blankets furnished for the Jail of Edgefield.

On the account of A. Herbemont, Clerk of the Court of Appeals at Columbia.

On the petition of C. Mathisson, for payment for supplies furnished for the Volunteers from this State in the Mexican War; and they were referred to the committee on Claims and Grievances.

The House of Representatives also sent to the Senate, for concurrence.

The report of the committee on the Military of that House, on the petition of H. and E. Horlbeck, praying payment for repairs to the Arsenal at Charleston; which was referred to the committee on the Military and Pensions. And also.

The report of the committee on Internal improvements, on the report of John Gibbes, Superintendent of Public works; which was referred to the committee on Agriculture and Internal Improvements.

The House of Representatives also sent to the Senate

A Bill to alter and amend the law in relation to Magistrates' executions.

The bill received the first reading in the Senate, and was referred to the committee on the Judiciary. And also

A Bill to amend An Act entitled "An Act more effectually to prevent Free negroes and other persons of color, from entering into this State, and for other purposes," passed the nineteenth day of December, in the year of our Lord 1835.

The Bill received the first reading, and was referred to the committee on Federal Relations.

On motion of Mr. HANNA, A Bill to incorporate the Fairfield Rifle Guards, and to define the recruiting limits of the said company, was called up from the table, and placed in the general orders for this day.

Mr. TAYLOR, from the committee on Agriculture and Internal Improvements, to which had been referred A Bill to abolish the office of Superintendent of Public Works; reported as a substitute

A Bill to abolish the office of Superintendent of Public Works, and for other purposes. The Bill received the first reading and was ordered for a second reading to-morrow, and to be printed; and on motion of Mr. TAYLOR, the Bill referred to the committee, was ordered to lie on the table.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

A Bill to incorporate the King's Mountain, Rail Road Company, received the second reading, was agreed to, and was ordered to be sent to the House of Representatives.

The unfavorable report of the committee on Finance and Banks, on A Bill to restrain the issue of small Bank bills, and for other purposes, was agreed to, and the bill was consequently rejected.

The unfavorable report of the committee on Claims and Grievances, on the petition of H. Boulware, former Sheriff of Edgefield, praying additional compensation for conveying prisoners from Edgefield to Columbia, and

The unfavorable report of the same committee on the petition of A. PALMER for additional compensation for work done in the State House, were agreed to by the Senate.

The favorable report of the same committee on the petition of F. J. Sessions, administrator of J. T. Sessions, late Sheriff of Horry district, and

The report of the same committee on the petition of A. Bushnell, for payment for making Coffins, for prisoners who died in jail, recommending payment of \$8, one half of the account; were agreed to, and were ordered to be sent to the House of Representatives for concurrence.

The unfavorable report of the committee on the Judiciary on A Bill to give the election of Commissioners in Equity to the people, being before the Senate for consideration, on motion of Mr. JOHNSON, the report was or-

dered to lie on the table, and the bill was taken up for the second reading! The bill having been read, on motion of Mr. MAZYCK, it was indefinitely postponed.

The following unfavorable Reports from the Committee on the Judiciary were agreed to.

On the petition of sundry citizens of Lexington District, praying that the question of retailing ardent spirits, to be drank at the place where sold, may be determined by ballot of the voters of the respective Districts, cities, towns, or villages.

On the petition of sundry citizens of Beat No. 3 of upper battalion, 15th Regiment, and of sundry citizens of Abbeville, praying appointment of additional magistrates.

On the presentment of the Grand Jury for Lexington, for Spring Term, 1848, in relation to the pay of Jurors and Commissioners of the Poor and of Free Schools.

The Committee on the Judiciary was discharged from the further consideration of the presentment of the Grand Jury for Greenville, Fall Term, 1848, on the subject of limiting the fees of magistrates and constables beyond a certain number of witnesses, or of subjecting the prosecutor to payment of costs on the certificate of the Grand Jury.

The report of the Joint Special Committee on the part of the Senate, on a Bill to afford aid in constructing the Rail-roads from Columbia to Greenville and Charlotte, which had been reported by that committee, and again reported by the same, was, with the bill, ordered to lie on the table.

A Bill to incorporate the Fairfield Rifle Guards, and to define the recruiting limits of said Company, received the second reading. The title was changed, in pursuance of the recommendation of the Committee on the Military and Pensions, so as to read,

A Bill to extend the recruiting limits of the Fairfield Rifle Guards; and the Bill was agreed to and was ordered to be sent to the House of Representatives.

On motion of Mr. MOSES, the private report of the indebtedness of the Officers and Directors of the Bank of the State of South Carolina was referred to the Joint Special Committee appointed to nominate suitable persons for President and Directors of the Bank of the State of South Carolina.

Mr. GIST gave notice that on to-morrow he will ask leave to introduce a Bill to hold the Courts at Union Court House one week instead of two.

On motion of Mr. MOSES, it was ordered that when the Senate adjourns it shall stand adjourned to meet to-morrow at 12 o'clock

On motion of Mr. HUGER, the Senate adjourned, at half-past 3 o'clock.

FRIDAY, DECEMBER 8, 1848.

The Senate met at 12 o'clock, pursuant to adjournment.

The Clerk read the Journal of the proceedings of yesterday.

Mr. WITHERSPOON presented the petition of the Trustees of Ebenezer Academy, praying for renewal of charter; which was referred to the committee on Incorporation and Engrossed Acts.

Mr. GRIFFIN presented the report of the committee on Incorporations and Engrossed Acts, on A Bill to incorporate the Laurel Falls Manufacturing Company, recommending the passage of the bill, with the 11th section stricken out; which was ordered for consideration to-morrow.

Mr. HANNA presented the favorable report of the committee on Privileges and Elections on "A Bill to give the election of Electors of President and Vice President of the United States to the people," which was ordered for consideration to-morrow.

Mr. GOODWYN presented the unfavorable report of the committee on the Lunatic Asylum and Medical Accounts, on the petition of Dr. J. S. Crane, praying compensation for a Post Mortem examination; and also

The unfavorable report of the same committee on the petition of Dr. J. E. Bignon, praying compensation for a Post Mortem examination; which were ordered for consideration to-morrow.

The House of Representatives sent to the Senate for concurrence, a Resolution to limit the issue of bills or promissory notes by Banks or corporate bodies; which was referred to the committee on Finance and Banks.

The House of Representatives also sent to the Senate

A Bill to afford aid in constructing the Rail Roads from Columbia to Greenville of Charlotte; which bill had received two readings in the Senate and three readings in the House of Representatives.

The bill received the third reading in the Senate, was agreed to, and was ordered to be returned to House of Representatives.

Mr. TAYLOR presented the favorable report of the committee on Agriculture and Internal Improvements, on the report of the committee on Internal Improvements of the House of Representatives, on the petition of Elijah Gayden; and also,

The unfavorable report of the same committee, on the petition of A. M. Pepper & Co., for compensation for work done on the State road; which were ordered for consideration to-morrow.

Mr. ISAAC D. WILSON presented the petition of John L. Hart, pray-



ing to be refunded a tax improperly paid, which was referred to the committee on Finance and Banks.

Mr. MOSES, from the Joint Special committee, appointed to nominate suitable persons for President and Directors of the Bank of the State of South Carolina, submitted the following report:

The Joint Committee, appointed to nominate proper persons to be elected President and Directors of the Bank of the State of South Carolina, beg leave to report, that they have considered the said matter, and recommend the following persons as suitable for the said appointment:

*President :*

F. H. ELMORE.

*Directors :*

D. C. WEBB,

P. M. COHEN,

F. R. SHACKLEFORD.

THOS. LEHRE,

J. H. STEINMEYER,

W. C. DUKES,

GEO. ROBERTSON,

E. CARSON,

P. C. GAILLARD,

R. CALDWELL,

R. G. STONE,

S. L. GLOVER.

Respectfully submitted,

F. J. MOSES, *Chair'n Senate Com.*

J. HARLESTON READ,

*Chairman House Committee.*

The report was ordered to lie on the table, and to be printed.

Mr. MOSES, from the same committee, also handed up to the Clerk's desk, the private report of the President of the Bank, of liabilities of the Officers and Directors.

Mr. MANNING presented the unfavorable report of the committee on Federal Relations, on the petition of Henry Missroon, and others, praying a repeal of an Act, passed A. D. 1841, entitled, an Act to prevent the citizens of New York, from carrying slaves, or persons held to service, out of this State, and to prevent the escape of persons charged with the commission of any crime. The report was ordered for consideration to-morrow.

Mr. MAZYCK presented the unfavorable Report of the committee on Privileges and Elections, on the presentment of the Grand Jury of Pickens District, Fall Term, 1848; which was ordered for consideration to-morrow.

Mr. QUATTLEBUM offered the following resolutions, which were referred to the committee on Finance and Banks, and were ordered to be printed :

WHEREAS, the word "*private*," endorsed upon the annual Report of the President of the Bank of the State, setting forth the "indebtedness and responsibilities of the several Directors with the said Bank, for the past year," might seem to *imply* that no member of the Legislature should speak of the details of said Report.

*Be it therefore resolved*, That the word "Private" was used for the purpose of restraining the Legislature, from ordering the said report to be printed, but does not, nor should not, prohibit a member from copying the same for information, and such use as his judgment may direct.

*Be it further resolved*, That it shall be the duty of the President of the Bank, hereafter, to include in the said report, the liabilities and indebtedness of the Officers, as well as those of the Directors; and the report shall not be endorsed "*Private*," or regarded as private; but be subject to such direction of either branch of the Legislature, as in their wisdom the public good may seem to require.

The President laid before the Senate the Report of a special committee of the Board of Trustees of the South Carolina College, upon a proposed prohibition of the collection of demands against students of the South Carolina College; which, as President *ad interim* of the Board, he had been directed to lay before the Senate. The Report was referred to the committee on the Judiciary.

Mr. MOSES called from the table a resolution for adjournment of the Legislature. The words "Friday the 15th" were stricken out, and "Monday the 18th inst." inserted; and the resolution being amended, reads as follows :

*Resolved*, That a Message be sent to the House of Representatives, proposing Monday the 18th inst. as the day for the adjournment of the present Session of the Legislature. The resolution was agreed to, and a Message was ordered accordingly.

On motion of Mr. De TREVILLE, the committee on Finance and Banks was discharged from the further consideration of resolutions offered by him, in relation to the Bank of the State of South Carolina, and they were referred to the committee of the whole House, to sit at 1 o'clock this day.

At the hour of 1 o'clock, the Senate proceeded to the special order for this hour, viz: So much of the Message No. 1 of His Excellency the Governor, as relates to the Bank of the State of South Carolina; the resolutions offered by the Senator from Abbeville, Mr. MARSHALL, and the amendment to the same, offered by the same gentleman, and the reso-

lutions offered by Mr. DETREVILLE, the Senator from St. Helena, on the same subject.

Pursuant to an order previously made, the Senate resolved itself into a committee of the whole.

Mr. WITHERSPOON, the Senator from York, was called to the chair, and after some time spent therein, the committee rose, the President resumed the chair, and the Senate proceeded to business.

Mr. WITHERSPOON reported that the committee had had the several matters committed to them under consideration, had made progress, and asked leave to set again to-morrow, at 1 o'clock, and the same was ordered.

#### REPORTS OF COMMITTEES.

Mr. R. F. W. ALLSTON presented the favorable report of the committee on the College, Education and Religion, on the Memorial of the Commissioners of Free Schools for Pickens district, praying relief; which was ordered for consideration to-morrow; and also

The favorable report of the same committee on the petition of the Commissioners of Free Schools for St. George's Dorchester, praying to be allowed the appropriation for the year year 1847; which was also ordered for consideration to-morrow.

Mr. R. F. W. ALLSTON, from the same committee, reported

A Bill to provide competent teachers of Free Schools. The bill received the first reading, and was ordered for a second reading to-morrow, and to be printed.

Mr. B. G. ALLSTON presented a communication from James A. Strobhart, State Reporter, accompanied by the 2nd. Volume of Law and 1st Volume of Equity reports. The communication and Reports were referred to the committee on the Judiciary.

Mr. HANNA presented the unfavorable report of the committee on the Military and Pensions, on the petition of the Fire Engine Companies of the City of Charleston and Charleston Neck, praying to be exempted from Militia duty, after a certain term of service in the Fire Department; and also,

The unfavorable report of the same committee, on the petition of the La Fayette Artillery and German Artillery, praying an appropriation for two new Batteries and a Gun shed; which were ordered for consideration to-morrow.

The committee on Privileges and Elections was discharged from the further consideration of the Presentment of the Grand Jury of Lexington District, Spring Term, 1848, in relation to the election of Electors of President and Vice President of the United States.

Mr. PORTER presented reports of the committee on Claims and Griev-

ances, on the reports of the committee on Claims of the House of Representatives.

On the account of Burt and Bridwell, for Public Printing.

On the account of Martin E. Munroe, for Public Printing.

On the claim of G. W. Gardner, for attendance as Constable in the Court of Chancery.

On the petition of Jacintha Stansel, praying compensation for accommodations furnished a Jury, by order of a Judge; recommending concurrence therein; all of which were ordered for consideration to-morrow; and the same committee was discharged from the further consideration of the *petition* of Jacintha Stansel to the same effect.

Mr. PORTER presented the report of the same committee, on the petition of James S. Shingler, Sheriff of Charleston District, praying compensation for the conveying of prisoners, for blankets furnished the gaol, and for other services, recommending payment of a portion of the account; also,

The favorable report of the same committee on the report of the committee on Claims of the House of Representatives, on the account of P. M. Johnson for binding the Rules of the House. Also,

The favorable report of the same committee, on the petition of Joseph J. Waring, praying compensation for a Slave executed; which were ordered for consideration to-morrow.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

A Bill to vest the right, title, and interest of the State, in and to all the personal estate of David McCreight, lately deceased, in Mary McCreight, which had been reported by the committee on the Judiciary, received the 2d reading, was agreed to, and was ordered to be sent to the House of Representatives.

The unfavorable report of the committee on Incorporations and Engrossed Acts, on so much of the petition of the Officers of the Fairfield Rifle Guards, as prays for an Act of Incorporation. And

The unfavorable report of the same committee, on the petition of Charles Jugnot & Oliver B. Hilliard, praying the incorporation of Mount Pleasant Ferry Company; were agreed to by the Senate.

The unfavorable report of the committee on the Military and Pensions, on the petition of sundry citizens of Beats No. 2 and 4 of the upper battalion, and Beat No. 3 of the lower battallion of the 15th Regiment, in relation to the formation of a new Beat Company. And

The unfavorable report of the same committee on the petition of sundry citizens of Beat No. 3, upper battallion of the 15th Regiment, praying a division of said Beat; were agreed to by the Senate.

The favorable report of the same committee, on a resolution in relation

to the uniform of the Militia of this State, recommending that the Adjutant and Inspector General do report a cheap and convenient uniform for officers of the line of and under the rank of Captain. And

The favorable report of the same committee, on the petition of William Glaze, praying payment for two Cannons purchased for the Richland Light Artillery ; were agreed to, and were ordered to be sent to the House of Representatives for concurrence.

The general orders having been disposed of, on motion of Mr. BUCHANAN, it was ordered that when the Senate adjourns, it shall stand adjourned to meet to-morrow at 12 o'clock.

On motion of Mr. MAZYCK the Senate adjourned, at 14 minutes past 3 o'clock.

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SATURDAY, DECEMBER 9, 1848.

The Senate met at 12 o'clock, pursuant to adjournment.

The Clerk read the Journal of the proceedings of yesterday.

Mr. GIST presented the return of the Commissioners of Free Schools for Union district, for the year 1848 ; which was referred to the committee on the College, Education and religion.

Mr. GRIFFIN, from the committee on Incorporations and Engrossed Acts, to whom was referred the Memorial of James Gadsden and others for the right to connect by Rail Road the South Carolina Rail Road with the waters of Charleston Harbor, reported

A Bill to connect by Rail Road, the South Carolina Rail Road with the waters of Charleston Harbor. The bill received the first reading, was ordered for a second reading on Monday next and to be printed.

Mr. GRIFFIN also presented the unfavorable report of the same committee, on a Bill to authorize a reduction of the capital of the Charleston Cotton Manufacturing Company, which was ordered for consideration on Monday next.

Mr. GRIFFIN also presented the unfavorable reports of the same committee, on the petition of sundry citizens of Marion District and Village, praying a repeal of the Act incorporating said village ; also,

On the petition of sundry citizens of Marion Village, praying an amendment of the Act incorporating said village ; also,

On the petition of sundry citizens of this State, for a Charter to construct a Rail Road from or near Charleston, to or near Silver Bluff, on Savannah river, and from thence across the said river to the State of Georgia ; also,

On the memorial of James Gadsden, for a Charter of a Rail Road from the South Carolina Rail Road, to the Savannah river, at or near Silver Bluff ; all of which were ordered for consideration on Monday next.

Mr. BLACK presented the memorial of citizens of the Town of Columbia, against the petition of the Regents of the Lunatic Asylum, to have Pickens street enclosed, which was referred to the committee on the Lunatic Asylum and Medical Accounts.

Mr. BLACK, also presented the account of Richard Holmes, for work upon the cases for Senate papers, which was referred to the committee on Claims and Grievances.

Mr. HANNA presented the petition of Calvin Usry, praying compensation for a post mortem examination, which was referred to the committee on the Lunatic Asylum and Medical Accounts ; also,

The Report of the committee on the Military and Pensions, on the "Report of the Board of Visitors of the State Military Academies," which was ordered for consideration on Monday next, and to be printed.

Mr. MOSES presented the account of John Lomas & Co., for compensation for time lost in work on a Court House, suspended by order of a Chancellor ; which was referred to the committee on Claims and Grievances.

The committee on the Judiciary was discharged from the further consideration of the petition of the Baltimore and Southern Packet Company, praying an Act of the General Assembly, authorizing them to use negroes as stewards, cooks, firemen, engineers, pilots, and mariners, on board their steam ships, trading between Baltimore and Charleston, and the petition was ordered to lie on the table.

Mr. MOSES presented the unfavorable report of the committee on the Judiciary, on the petition of 615 citizens, residents of Edgefield, Barnwell, and Orangeburg Districts, praying the formation of a new Judicial District ; also,

The unfavorable report of the same committee, on the petition of sundry citizens of the parish of St. James Santee, praying for protection, from injury caused by persons coming from a distance and driving off cattle from the neighborhoods in which the petitioners reside ; also,

The unfavorable report of the same committee, on "a Bill to alter and amend the law in relation to Magistrates Executions ;" also,

The unfavorable report of the same committee, on "a Bill to increase the number of Magistrates for Marion District ;" also,

The unfavorable report of the same committee, on "a Bill to alter and amend an Act, entitled an Act to regulate the fees of the officers of the

Courts of Law and Equity in this State, and for other purposes therein mentioned, passed 19th Decr. 1827 ;" also,

The favorable report of the same committee, on a Bill to confirm a grant to James M. Harris, which by mistake was issued to James W. Harris ; all of which were ordered for consideration on Monday next.

Mr. MANNING presented the favorable report of the committee on Federal Relations, on a Bill to amend an Act entitled "an Act more effectually to prevent free negroes and other persons of color, from entering into this State, and for other purposes," passed the 19th day of Decr. in the year of our Lord 1835 ; which was ordered for consideration on Monday next.

Mr. MOSES, from the committee on the Judiciary, to whom was referred the petition of Susannah Connelly, praying that the escheated estate of Harley Connelly, dec'd., may be vested in her, reported

A Bill to vest all the right, title and interest of the State, in and to a certain tract of land granted to Haley Connelly, otherwise called Harley Connelly, in Susannah Connelly ; the Bill received the first reading and was ordered for a second reading on Monday next.

The following Message was received from the House of Representatives

IN THE HOUSE OF REPRESENTATIVES, }  
December 8, 1848. }

*Mr President and Gentlemen of the Senate :*

This House asks leave of Senate, to amend its Message proposing to this House to adjourn the present session of the Legislature, by inserting "Wednesday, the 20th inst.," in lieu of "Monday, the 18th inst."

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

The Senate refused to grant leave, and sent a Message accordingly.

Mr. TAYLOR presented the unfavorable report of the committee on Agriculture and Internal Improvement, on the petition of J. S. Guignard, praying the Legislature to nullify and make void a grant supposed to have been improperly obtained ; also,

The favorable report of the same committee, on the Report of the Superintendent of Public Works, and on the report of the committee on Internal Improvements of the House of Representatives, on the same subject ; also,

The report of the same committee, on the resolution of the Commissioners of the Roads in St. James, Goose Creek, in relation to the State road, asking to be discharged from the further consideration of the same ; also,

The favorable report of the same committee, on the report of the committee on Internal Improvements of the House of Representatives, on the supplemental report of E. D. Earle, late Superintendent of Public Works ; all of which were ordered for consideration on Monday next.

Mr. APPLEBY presented the petition of sundry citizens of St. George's

Dorchester, praying that a road may be granted to them, which was referred to the committee on Roads and Buildings.

Mr. MANNING presented the report of the committee on Federal Relations, on so much of the Governors Message No. 1, as refers to slavery, the resolutions introduced by the Senators from Union and St. James, Santee, Mr. GIST and Mr. MAZYCK, in relation to the same subject, and the proceedings of a public meeting of citizens of Orange, in relation to the same subject, which was ordered for consideration on Monday next; and to be printed.

Mr. HANNA presented the favorable report of the committee on the Military and Pensions, on the report of the committee on the Military of the House of Representatives, on the petition of H. & E. Horlbeck, praying payment of an account for the repairs to the Arsenal, at Charleston, which was ordered for consideration on Monday next.

The committee on Claims and Grievances was discharged from the further consideration of the petition of Alexander McCants, Jailor of Williamsburg District, praying payment for blankets furnished to prisoners in jail; and leave was granted to Mr. COOPER to withdraw the petition.

Mr. PORTER presented the favorable report of the committee on Claims and Grievances, on the account of the Daily Telegraph, for printing; also,

The favorable report of the same committee, on the account of W. W. Purse, for work done in the Senate Chamber; also,

The unfavorable report of the same committee, on the petition of Wm. F. Pearson, for compensation for taking the Census of Fairfield District in 1808; which were ordered for consideration on Monday next.

Mr. PORTER presented the petition of B. C. Pressly and others, praying to be incorporated as a company for the Manufacture of Paper; which was referred to the committee on Incorporations and Engrossed Acts.

#### PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate

A Bill to establish the allowance of days of grace upon Bills of Exchange at Sight. Also,

A Bill to vest the right and title of the State, in and to the estate of Elizabeth H. Kerr, deceased, in Hannah H. Boland; which Bills had received two readings in the House of Representatives. The Bills severally received the first reading in the Senate, and were referred to the committee on the Judiciary.

The House of Representatives also sent to the Senate, for concurrence,

A Resolution in relation to the pay of Electors of President and Vice President of the United States; which was referred to the committee on Privileges and Elections. Also,



Courts of Law and Equity in this State, and for other purposes therein mentioned, passed 19th Decr. 1827;" also,

The favorable report of the same committee, on a Bill to confirm a grant to James M. Harris, which by mistake was issued to James W. Harris; all of which were ordered for consideration on Monday next.

Mr. MANNING presented the favorable report of the committee on Federal Relations, on a Bill to amend an Act entitled "an Act more effectually to prevent free negroes and other persons of color, from entering into this State, and for other purposes," passed the 19th day of Decr. in the year of our Lord 1835; which was ordered for consideration on Monday next.

Mr. MOSES, from the committee on the Judiciary, to whom was referred the petition of Susannah Connelly, praying that the escheated estate of Harley Connelly, dec'd., may be vested in her, reported

A Bill to vest all the right, title and interest of the State, in and to a certain tract of land granted to Haley Connelly, otherwise called Harley Connelly, in Susannah Connelly; the Bill received the first reading and was ordered for a second reading on Monday next.

The following Message was received from the House of Representatives

IN THE HOUSE OF REPRESENTATIVES, }  
December 8, 1848. }

*Mr. President and Gentlemen of the Senate:*

This House asks leave of Senate, to amend its Message proposing to this House to adjourn the present session of the Legislature, by inserting "Wednesday, the 20th inst.," in lieu of "Monday, the 18th inst."

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

The Senate refused to grant leave, and sent a Message accordingly.

Mr. TAYLOR presented the unfavorable report of the committee on Agriculture and Internal Improvement, on the petition of J. S. Guignard, praying the Legislature to nullify and make void a grant supposed to have been improperly obtained; also,

The favorable report of the same committee, on the Report of the Superintendent of Public Works, and on the report of the committee on Internal-Improvements of the House of Representatives, on the same subject; also,

The report of the same committee, on the resolution of the Commissioners of the Roads in St. James, Goose Creek, in relation to the State road, asking to be discharged from the further consideration of the same; also,

The favorable report of the same committee, on the report of the committee on Internal Improvements of the House of Representatives, on the supplemental report of E. D. Earle, late Superintendent of Public Works; all of which were ordered for consideration on Monday next.

Mr. APPLEBY presented the petition of sundry citizens of St. George's

Dorchester, praying that a road may be granted to them, which was referred to the committee on Roads and Buildings.

Mr. MANNING presented the report of the committee on Federal Relations, on so much of the Governors Message No. 1, as refers to slavery, the resolutions introduced by the Senators from Union and St. James, Santee, Mr. GIST and Mr. MAZYCK, in relation to the same subject, and the proceedings of a public meeting of citizens of Orange, in relation to the same subject, which was ordered for consideration on Monday next; and to be printed.

Mr. HANNA presented the favorable report of the committee on the Military and Pensions, on the report of the committee on the Military of the House of Representatives, on the petition of H. & E. Horlbeck, praying payment of an account for the repairs to the Arsenal, at Charleston, which was ordered for consideration on Monday next.

The committee on Claims and Grievances was discharged from the further consideration of the petition of Alexander McCants, Jailer of Williamsburg District, praying payment for blankets furnished to prisoners in jail; and leave was granted to Mr. COOPER to withdraw the petition.

Mr. PORTER presented the favorable report of the committee on Claims and Grievances, on the account of the Daily Telegraph, for printing; also,

The favorable report of the same committee, on the account of W. W. Purse, for work done in the Senate Chamber; also,

The unfavorable report of the same committee, on the petition of Wm. F. Pearson, for compensation for taking the Census of Fairfield District in 1808; which were ordered for consideration on Monday next.

Mr. PORTER presented the petition of B. C. Pressly and others, praying to be incorporated as a company for the Manufacture of Paper; which was referred to the committee on Incorporations and Engrossed Acts.

#### PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate

A Bill to establish the allowance of days of grace upon Bills of Exchange at Sight. Also,

A Bill to vest the right and title of the State, in and to the estate of Elizabeth H. Kerr, deceased, in Hannah H. Boland; which Bills had received two readings in the House of Representatives. The Bills severally received the first reading in the Senate, and were referred to the committee on the Judiciary.

The House of Representatives also sent to the Senate, for concurrence,

A Resolution in relation to the pay of Electors of President and Vice President of the United States; which was referred to the committee on Privileges and Elections. Also,

A Resolution in relation to the Palmetto Regiment; which was referred to the committee on the Military and Pensions.

The Senate proceeded to the

### GENERAL ORDERS OF THE DAY.

A Bill to aid in the construction of the Wilmington and Manchester Rail Road, which had been reported by the Special Joint Committee on the part of the Senate, in relation to Rail Roads, was before the Senate—the second reading of which having been concluded, on the question of agreeing to the Bill, the yeas and nays were ordered to be taken, and they are as follows:

Those who voted in the affirmative are

The Hon. ANGUS PATTERSON, President,

Messrs. R. F. W. Allston,

Messrs. B. G. Allston,

Black,

Buchanan,

Caldwell,

Cannon,

DeTreville,

Eaves,

Ellerbe,

Evins,

Gause,

Gist.

Goodwyn,

Griffin,

Grimball,

Hibben,

Irby,

Johnson,

Manning,

Mazyck.

Moses,

P. P. Palmer,

John S. Palmer,

Perry,

Skipper,

Taylor,

Walker,

Ware,

Isaac D. Wilson.

Those who voted in the negative are

Messrs. Appleby,

Messrs. Barnes,

Cooper,

Felder,

Hanna,

Huger,

Marshall,

Porter,

Quattlebum,

Williams,

John Wilson,

Witherspoon.

YEAS 30—NAYS 12.

The Bill was therefore agreed to, and was ordered to be sent to the House of Representatives.

The general orders were suspended at the hour of  $\frac{1}{4}$  past 2 o'clock, and the Senate proceeded to the special order for the day, viz: So much of the Message No. 1 of His Excellency the Governor, as relates to the Bank of the State of South Carolina; the resolutions offered by the Senator from

Abbeville, Mr. MARSHALL, and the amendment to the same, offered by the same gentleman, and the resolutions offered by Mr. DeTREVILLE, the Senator from St. Helena, on the same subject.

Pursuant to an order previously made, the Senate resolved itself into a committee of the whole.

Mr. WITHERSPOON, the Senator from York, was called to the chair, and after some time spent therein, the committee rose, the President resumed the chair, and the Senate proceeded to business.

Mr. WITHERSPOON reported that the committee had had the several matters committed to them under consideration, had made progress, and asked leave to set again on Monday, at 1 o'clock, and the same was ordered.

Mr. R. F. W. ALLSTON, from the committee on the College, Education and Religion, to which had been referred a Bill from the House of Representatives, to authorize and empower the Commissioners of Free Schools of the Parishes of St. Phillip and St. Michael to raise a fund for the building of Free School Houses, submitted a Report recommending the passage of the Bill with sundry amendments. The Report was ordered for consideration on Monday next.

Mr. MAZYCK presented the Report of the committee on Privileges and Elections, on a resolution from the House of Representatives, in relation to the pay of Electors of President and Vice President of the United States, recommending concurrence therein; which was ordered for consideration on Monday next.

Mr. WARE gave notice that, on Monday next, he will ask leave to introduce

A Bill to incorporate the Greenville Rail Road Company.

The committee on Claims and Grievances was discharged from the further consideration of the petition of C. Mathesson, praying payment for supplies furnished to the Volunteers from South Carolina, in the war with Mexico.

Mr. PORTER presented the favorable reports of the committee on Claims and Grievances, on the report of the committee on Claims of the House of Representatives, on the petition of C. Mathesson, praying compensation for supplies furnished to Volunteers from South Carolina, in the war with Mexico.

The favorable report of the same Committee on the account of W. L. Robeson, for blankets furnished for the jail of Chesterfield District. And also,

The unfavorable report of the same Committee, on the account of John C. Evans, late Clerk of Chesterfield District, praying to be refunded money paid for advertising notices of State's prisoners. And also,

The unfavorable report of the same Committee, on the account of R. E.

Russell, for work done on the State House grounds—all of which were ordered for consideration on Monday next.

The Senate resumed the

### GENERAL ORDERS OF THE DAY.

A Bill to amend the tenth section of the first Article of the Constitution, was ordered to lie on the table.

A Bill to increase the penalty for obstructing the passage of fish up Lynch's Creek, which had been reported by the Committee on the Judiciary, received the second reading, was agreed to, and was ordered to be sent to the House of Representatives.

The Committee on Privileges and Elections was discharged from the further consideration of the presentment of the Grand Jury of Pickens District, Fall Term, 1848, and so much thereof as relates to the appropriation for the Free Schools was referred to the Committee on the College, Education and Religion.

The unfavorable report of the Committee on Federal Relations on the petition of Henry Meisroon, J. W. Caldwell and others, praying the repeal of an Act passed A. D. 1841, entitled "An Act to prevent the citizens of New York from carrying slaves or persons held to service, out of this State, and to prevent the escape of persons charged with the commission of any crime," was agreed to by the Senate.

The unfavorable report of the Committee on Agriculture and Internal Improvements on the petition of A. M. Pepper and Company, praying compensation for work done on the State Road, was agreed to.

The report of the Committee on Internal Improvements of the House of Representatives on the petition of Elijah Gayden, asking the use of a portion of the banks of Rocky Mount Canal, was concurred in, and was ordered to be returned to the House of Representatives.

The unfavorable Report of the Committee on the Lunatic Asylum and Medical Accounts, on the account of Dr. J. S. Crane, for a post mortem examination; and

The unfavorable report of the same Committee on the account of Dr. J. E. Bequin, for a post mortem examination; were agreed to by the Senate.

The report of the Committee on Incorporations and Engrossed Acts on a Bill to incorporate the Laurel Falls Manufacturing Company, was ordered to lie on the table.

The favorable report of the Committee on Privileges and Elections, on a Bill to give the election of Electors of President and Vice President of the United States to the people, was, on motion of Mr. BLACK, made the Special Order of the Day for Tuesday, at 1 o'clock.

The favorable reports of the Committee on the College, Education, and Religion, on the petition of the Commissioners of Free Schools for St. George's, Dorchester, and on the petition of the Commissioners of Free Schools for Pickens District, praying appropriations, were ordered to lie on the table.

The unfavorable report of the Committee on the Military and Pensions on the petition of the Fire Engine Companies of Charleston and Charleston Neck, praying exemption from military duty, after a term of service in the fire department; and

The unfavorable report of the same Committee, on the petition of the Lafayette Artillery and German Artillery, praying payment for two new batteries and a gun-shed, were agreed to.

The report of the committee on Claims and Grievances, on the petition of James S. Shingler, Sheriff of Charleston District, praying compensation for the conveying of prisoners, for blankets furnished the jail, and for other services, (recommending payment of a portion of the account,) was agreed to and was ordered to be sent to the House of Representatives for concurrence.,

The following reports of the committee on Claims of the House of Representatives, were concurred in, and were ordered to be returned to that House.

On the account of Burt and Bridwell, for public Printing.

On the account of Martin E. Munroe, for public printing.

On the account of J. W. Gardner, for services as Constable for a Court of Equity.

On the petition of Jacintha Stansell, for accommodations furnished to a Ju-by order of a Judge.

On the account of P. M. Johnson, for binding the Rules of the House of Representatives.

The report of the committee on Claims and Grievances, on the petition of J. I. Waring, for compensation for a slave executed, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The General Orders having been disposed of, it was ordered, on motion of Mr. WALKER, that when the Senate adjourns, it shall stand adjourned to meet on Monday next at 12 o'clock.

On motion of Mr. EVINS, the Senate adjourned, at 11 minutes past 4 o'clock.

MONDAY, DECEMBER 11, 1848.

The Senate met at 12 o'clock, pursuant to adjournment.

The Clerk read the journal of the proceedings of Saturday last.

Mr. WILLIAMS presented the report of the Solicitor for the Southern Circuit, on District Offices and Officers, which was referred to the committee on the Judiciary.

The Special Joint Committee of Senate, to which was referred a resolution, instructing the committee to report by bill or otherwise, what aid should be extended to the Wilmington and Manchester Rail Road, was discharged from the further consideration of the same.

Mr. BUCHANAN presented the unfavorable report of the committee on Finance and Banks, on

A Resolution to enquire and report, on the expediency of the State subscribing stock, in the Wilmington and Manchester Rail Road; and on

A Resolution of Senate, instructing said committee to enquire and report, what deductions ought and should be made in the salaries and fees of the several public officers of the State; which were ordered for consideration to-morrow. Also,

The favorable report of the same committee, on the report of the City Council of Charleston, on the permanent and transient poor. Also,

On the petition of John Ballard, late Tax Collector of Claremont, praying to be refunded money paid as interest.

On the petition of Alfred M. Lowry, late Sheriff of Chesterfield District, praying that monies erroneously paid by him to Treasurer be refunded.

On the petition of Mary Thomson, praying a new certificate of State 6 per cent stock to be issued to her. Also,

On the petition of John L. Hart, praying to be refunded a tax improperly paid. Also,

On the petition of the Commissioners of the poor, for Georgetown District. Also,

On the Resolution from the House of Representatives, to limit the issue of bills or promissory notes by Banks or Corporate Bodies; all of which were ordered for consideration to-morrow.

Mr. PORTER presented the unfavorable report of the committee on Claims and Grievances, on the petition of J. C. Price & M. H. Berry, praying compensation for work done for the Senate. Also,

The favorable report of the same committee, on the account of John E. Grist, for public printing. And also,

The report of the same committee on the petition of Richard Singleton, Executor of John Singleton, praying compensation for slaves executed, recommending that the prayer of the petition be partially granted; all of which were ordered for consideration to-morrow.

At quarter past 11 o'clock Message No. 3, of his Excellency the Governor, was communicated to the Senate. The Message was read, and on motion of Mr. ALLSTON, it was made the special order for to-morrow at 12 o'clock.

EXECUTIVE DEPARTMENT,  
Columbia, Dec. 11th, 1848. }

*To the Honorable the President and Members  
of the Senate.*

GENTLEMEN:

I have received from Col. A. H. Gladden, lately commanding the Palmetto Regiment, the books, miscellaneous documents, and correspondence of the commanding officers, and the Flag borne by the Palmetto Regiment in the Mexican campaign; and also some small articles of regimental property, which may have some value, from their having belonged to that regiment. The Flag is an honorable and touching memorial of the gallant services and heroic incidents performed under it. As long as it is preserved, it will excite the admiration and gratitude of the State, for those who have won high historical honors for her, conspicuous amongst whom is the gentleman who brought it home, and transmitted it to me, with the interesting history of it contained in his communication, which accompanies this Message.

I would respectfully suggest the propriety of immediately providing for the safe-keeping and preservation of these memorials, against the decay of time, as far as may be practicable; and an examination of the documents and correspondence referred to, with a view to their being recorded and placed among the archives of the executive department.

Without forgetting what is due to the illustrious dead, I should not obey the dictates of my heart or of my country, if I did not on this occasion, record the very high estimate in which I hold Col. Gladden's character and services. The command of the regiment was, by the death of the two superior officers, thrown upon him in the midst of battle—the beginning of a series of battles, through which he fought gloriously. Then, with equal honor, and equal display of high and soldierly qualities, he so commanded it in the midst of a conquered and luxurious city, that its fame in the field of battle is hardly greater than its renown for order, discipline, morality and honor. History will record his services, and preserve his name as a portion of the property of the State.

The Legislature made it my duty to obtain plans and estimates for a mon



ument, to be erected to the memory of those who fell in the Mexican campaign. In performing this task, I availed myself of the better judgement of Gen. Jamison and of Mr. Poinsett, who, from three prepared by Mr. Jones, and as many by Col. E. B. H. White, both native artists, all of which strike me as being of great beauty and in fine taste, preferred one prepared by the latter gentleman, having for its base rude granite surmounted by the Palmetto tree, with suitable devices, all in bronze, on account of its originality, nationality and appropriateness, and I entirely concur in their opinion. They are all ready for examination, and will be submitted to any committee you may deem proper to appoint. I transmit herewith the letters of Col. White, Gen. Jamison, and Mr. Poinsett to me, in relation to it. I did not stipulate with either of these gentlemen for any compensation in preparing the drafts, but have no doubt that you will feel that they are entitled to their reward. Some such memorial is due to the gallant dead, to the honor of the State, and to future generations. And I take leave to add that gratitude, patriotism and honor equally exact, in my judgement, some public provision for the families of those who perished, and for the survivors who may stand in need of it.

Our Public Schools, including the Citadel Academy in Charleston, the Arsenal Academy here, and our College, will furnish great facilities for the education of their children, defraying the incidental expenses out of the public treasury, as but due to them and ourselves.

In carrying out the benevolent designs of the last Legislature, in relation to the destitute widows and orphans of the deceased and the disabled members of the Palmetto Regiment, I found it necessary to appoint three Commissioners in each district in which companies had been raised, to assist me in ascertaining their condition and actual wants, and through their means I have been enabled to ascertain and provide for all who are within the objects of the bounty.

The amount appropriated being small, and the number in whose behalf applications might be made being uncertain, I was constrained so to limit the several amounts, that each might partake of it in any probable contingency. I therefore found it necessary to limit the amount allowed to persons wholly disabled to forty-two dollars, and in that proportion for a less disability. For widows without a child or children, being wholly destitute, the like sum of forty-two dollars; the same for those having children, with the addition of ten dollars for every child under fourteen years of age. For children under fourteen years of age, having no surviving parents, twenty-one dollars each: instructing the Commissioners in all cases, where on account of indiscretion the funds might be wasted, to retain them in their own hands, and disburse them in such sums as the necessity of the individuals might require, and these instructions have been faithfully and diligently carried out, I believe, in every instance.

My account with this fund, together with the Commissioners appointed and my instructions to them, and also the names of the individuals relieved, covering, in detail, all that has been done in furtherance of the views of the Legislature, will be ready at an early day, to be submitted to any committee that you may think proper to appoint.

The sum of \$5000 appropriated at the last session to aid the destitute Volunteers of the Palmetto Regiment in returning home, was placed in the Bank of Charleston, to the credit of Mr. Peter Conrey, Jr., of New Orleans, the agent of the Bank, whom I also constituted my agent to disburse it under my instructions. Among other things, he was directed to supply the really necessitous only, with the means of transportation and subsistence home. To guard against the improvident use of monies placed in their hands, he was further directed to provide transportation, and to advance only so much as would pay the expenses of subsistence as far as Mobile, in Alabama. And through Col. Gadsden, the President of the South Carolina Rail Road Company, I effected an arrangement with E. T. Pollard, Esq., President of the Montgomery and West Point Rail Road Company, to provide for their transportation from Montgomery to Hamburg, and the South Carolina Rail Road Company generously undertook to transport them from thence, to any point, on either of its lines, nearest the residence of the individual. And I have great pleasure in adding, that all the agents employed in this service, declined accepting any compensation. Some irregularities occurred, particularly at Montgomery, before my instructions were comprehended; and some of the Volunteers returning home were provided for, perhaps, whose necessities did not require aid. But, as it was done in good faith, no exception was taken. On learning that the regiment was returning in a body, I directed Mr. Conrey to pay over to the officer commanding, any balance that might remain in his hands, or so much as might be necessary to provide for their real necessities, and in pursuance of these instructions, he paid to Col. Gladden, at Mobile, six hundred dollars; for which he has accounted to me since his return. Of the sum appropriated, a balance of about two thousand four hundred and sixty dollars remains unexpended.

In pursuance of a resolution of the last session, directing me to cause observations to be made of the variation of the magnetic needle, I engaged the services of Professor Williams, of the College, who kindly volunteered to devote his leisure to this subject. Under his supervision, suitable monuments have been erected, for the making of the necessary observations, and some progress has been made in noting them. In the further prosecution of them it will be proper for that gentleman to have some person under him, who will be able to give his attention, day and night, for whom a suitable compensation should be provided.

In Charleston, I engaged the services of Maj. Charles Parker, to the

same end, and advanced him the necessary funds, but I have not been able to learn what progress he has made. I suppose he will have the necessary monuments erected, and suitable instruments provided, and I would recommend that provision be also made for the continuation of the observations there : and I would submit whether the objects in view would not be more certainly attained, and their accuracy tested, by providing for other observations near the northern boundary of the State.

The standard weights and measures furnished by the United States have been received, and appropriately deposited, in a building erected for that purpose, on the Court House square, in Columbia. I submit to you the propriety of adopting measures for the preservation of these valuable instruments, and for procuring duplicates of them, for the several Districts of the State. And here again I am indebted to Professor Williams for the voluntary tender of his services, in their general superintendence ; but as his other avocations are incompatible with attending to the details, I recommend that he be authorized to appoint a superintendent, and that a suitable compensation be provided for him.

It will be recollected that at the close of the last session of the Legislature, application was made, in behalf of Messrs. Burnley, Johnson & Co. of New Orleans, for the payment of an account against Smith and Hill, sutlers of the Palmetto Regiment, for goods supplied them. This application was founded upon a communication from Burnley, Johnson & Co, to a gentleman, then a member of the Senate, representing, among other things, that they had declined crediting Smith and Hill ; but upon the remonstrance of Col. Butler, then commanding the regiment, that their credit was unimportant, as the men were obliged to have the clothing, and the Council of Administration would see that the debt was paid ; that in fact there was no risk, and that, as a compensation for the inconvenience of advancing the money, he authorized them to retain in their hands a considerable sum they then had, belonging to him, until the debt was paid. The account accompanying that communication amounted to seven thousand nine hundred and forty-nine dollars and thirty-three cents, and the sum placed at my disposal, for its liquidation, was eight thousand two hundred dollars, if so much be necessary, with directions to retain in my hands, until I should have satisfactory evidence of the inability of Samuel Chase to pay the amount for which he gave his notes, for goods purchased for the Palmetto Regiment. The only evidence ever furnished me, of his inability, was that he had not paid at the day ; and not regarding that as evidence of his inability, I have heretofore declined paying it.

I also declined paying another item in the account, of five hundred and fifty-five dollars fifty-six cents, charged as the expenses of their agent, Mr. Throck Morton, sent to Vera Cruz, for the purpose of collecting the debt, on the ground that this item did not fall within the spirit of the Resolution

under which I acted, and which, according to my construction, was intended to provide only for a debt contracted in behalf of the Regiment. Believing that I had no discretion with regard to the remainder, I paid to their agent, Col. Wade Hampton, the balance of the account, amounting to five thousand three hundred and eighty-nine dollars, on the eleventh of February, eighteen hundred and forty-eight; and, on the same day, took from them an assignment of that portion of the sum claimed by them, with authority to use and pursue all proper means to obtain payment from Smith and Hill, the sutlers, or the Government of the United States, or any other person liable to pay the same. Some time after this I received a letter from Col. Gladden, stating the particulars of the transaction between the officers of the Regiment and Smith and Hill, the sutlers, and Burnley, Johnson & Co. which led me to doubt whether there was any obligation, legally or morally, on the State, to pay any portion of the demand. Indeed my convictions were so strong that I should have declined paying any portion of it, if I had been possessed of this information before the money was paid: the substance of which I immediately communicated to them.

In a postscript of a letter from A. T. Burnley, (one of the firm,) under date of the 24th of February, 1848, he says—"Since writing the above, I am mortified to have accidentally discovered that our clerk, in making out the account against the Palmetto Regiment, sent to Col. Manning, made some omissions. The enclosed statement will show the errors, and that we have received five hundred and four dollars sixty-seven cents more than we were justly entitled to. This sum must be deducted from the amount of the suspended items, if allowed by your Excellency: and if they are disallowed, I will immediately remit you a check for this over-payment. Please file the enclosed account in place of the one sent to, and filed by, Col. Manning."

The re-payment of the sum thus over-paid, was promptly demanded, and in reply to my letter on that subject, Mr. Burnley writes—"Your reply to my letter of the 24th February never came to hand, or the sum over-paid to me, by mistake, would, as you requested, have been immediately remitted to you. Within the last six weeks my commercial house, here, has been embarrassed, in consequence of heavy losses, by failures in Virginia. I am now on the eve of starting to Kentucky, where I shall spend the summer, and it is, therefore, inconvenient, at this moment, to remit you the amount. But I pledge myself that it shall be done before the meeting of your Legislature." I have not, however, received the money. The correspondence between Burnley, Johnson & Co. and myself, and Col. Gladden's letter, are herewith transmitted, and will put you in possession of all the information I possess.

I had the honor to communicate to the Legislature, at its last session,

that I had forwarded to the War Department, at Washington, a demand for the sum expended in organizing and mustering the Palmetto Regiment into the service of the United States. Since that time I have received, on that account, and placed to the credit of the Contingent Fund, in the Branch Bank, at this place, the sum of three thousand six hundred and fifty-eight dollars and twenty-two cents: the payment of the balance amounting to two thousand eight hundred and seven dollars, (\$2,807,) besides the interest, has been suspended, and the vouchers returned, with the objections of the Department, to enable me to supply such further evidence and explanations as were deemed necessary. And although some of these exceptions strike me as exacting too much, still it may be necessary to protect the Department against wrong. Since then I have been able to collect the evidence, and give the explanations which I suppose are necessary, in all instances, except for one or two items, amounting, together, to, a small sum; and I propose to forward them to Washington immediately—not doubting that they will be considered sufficient.

My accounts with the funds above referred to, with the civil and military funds, and all other funds, committed to my care, will be ready to be submitted to any committee you may see proper to appoint for that purpose.

The House of Representatives, at its last session, directed me to employ some person, to arrange the papers in the office of its Clerk. In pursuance thereof I employed Mr. T. W. Glover, the present Clerk. And I herewith transmit you his report, showing the manner in which that service has been performed. I have not had it in my power to examine in what manner the work has been executed, but am informed that it has been well done. No provision was made for compensating the person employed. That will devolve on you.

I transmit, herewith, a report of Joseph F. White, Esq., the Agent of the Catawba Indians, together with his account of monies disbursed for them. It will be seen from the report, that they still remain in a wandering and unsettled condition. That the sums, annually disbursed amongst them, do not contribute in any essential degree to their comfort or convenience. But I cannot, however, concur with him, that it will be wise or humane, to distribute amongst them the balance due them on account of the purchase of their land.

A Mr. Wm. H. Thomas, who has for some time had under his paternal care a portion of the Cherokee Indians, remaining in the western part of North Carolina, has, in a letter to me, under date of twenty-second of January last, furnished suggestions, which, if carried out, will, in my judgment, materially improve their condition. "I have," says he, "purchased for the North Carolina Cherokees a large scope of country which is mostly separated from the [white settlements by large mountains, that will not likely be settled in the next century. I have obtained from this State

(North Carolina) the passage of an Act authorizing them to hold and purchase lands as a corporation, and for each family a lease is provided which gives them the right to occupy the land, but not to introduce intoxicating drink, which is expressly prohibited. Since the Cherokees became temperate, they have increased in about the same ratio as the white population, and are making much more rapid progress in civilization than they would do if surrounded by wild Indians unacquainted with the arts.

"The Catawba Indians, if they settle here, are to come under the same regulations as the Cherokees, and two years will test the experiment. During that time the Cherokees are willing that I should let them occupy a portion of the land purchased for them. On it are houses and fields suitable for the Catawba Indians, and they will have nothing to pay for the use of them. If, however, the Catawbas are expected to remain here, it will be necessary that some means be furnished to provide them with tools and provisions until they can raise crops, and the remainder of what is due, instead of being paid as heretofore in goods and old horses, ought to be, in my opinion, placed on interest for their benefit, and the interest applied annually to the support of a Manual Labor School, and other improvements calculated to change their condition. Most of the Catawbas are, I am informed, related. This may be the cause of their want of energy. Inter-marriages with the Cherokees would, no doubt, produce a change in this respect.

"If they remain here, the system of travelling back to South Carolina must be discouraged, for while that continues it is impossible to change their habits and bring them to possess much attachment for their homes. At a council of the Catawbas, a few days since, I informed them that they must either remain here or in South Carolina. If herẽ, they must quit their dissipation, which, if continued, would soon cause them to become extinct, and like the Cherokees support themselves and families by labor.— Learning Indians to live without work and to depend upon annuities, has a bad effect upon them. The only aid they should receive, is to support themselves by labor."

Mr. Thomas is, I understand from high authority, a gentleman of character and respectability. There is certainly much good sense and humanity in the plan which he proposes. I would recommend that commissioners be appointed for the purpose of conferring with him in maturing the plan proposed, or any other which may most likely tend to the improvement of their condition.

I send you, herewith, the report of the commissioners having the disposition of the fund appropriated for the education of deaf, dumb, and blind, accompanied with an account of their disbursements, together with their vouchers therefor.

I transmit, herewith, the report of the Adjutant and Inspector General,

and also the report of the Quarter Master General, showing the number of the militia, and the condition of the arms and munitions of war. I concur fully in the suggestion of the Adjutant and Inspector General, as to the advantage to be derived from Brigade encampments, and would recommend that they be re-established, or that regimental encampments be instituted in their place. This is the more earnestly recommended, as all experience shows that nothing of tactics or discipline are attained by the ordinary company, battalion or regimental musters.

It will be seen, from the report of the Quarter Master General, that there are only about six thousand stand of small arms fit for service—a number entirely inadequate to arm the militia in the event of any sudden emergency, and I would recommend that they be increased to at least double that number, with a positive prohibition that the small arms in the arsenals should never be reduced below that number.

In discharge of the duties of Executive Officer of the State, I have felt many difficulties and inconveniences, which, on leaving the office, I feel it my duty to bring to your notice, with a view that they may be remedied in future, if you should see fit.

First of all, the office is itinerant, and follows the person of the Executive wherever his necessities or convenience may compel him to reside. This is utterly inconsistent with the necessary order and uniformity in the conduct of the business of the office. He cannot carry with him all the books, documents, and vouchers, nor his Secretary. He must either dispense with *him*, or subject him to an expense which would swallow up his small salary. The citizens too are interested to know where the Executive may be found, and if he has no fixed residence, are obliged to go in pursuit through highways and by-paths; they may chance to pass him on the way without knowing him, (a case of actual occurrence.) The remedy is to provide him a residence at the seat of government, and require him to reside there permanently.

The next is the want of an established Executive office with a Clerk, whose duty it should be to keep a regular record of all the proceedings, all the important documents, and correspondence. About a year ago, I caused to be fitted up in the Executive Chamber, a press suited to the reception of papers and documents, which is large enough to serve for many years to come, and I shall leave on file there every paper connected with the discharge of my duty that can answer any future purpose. Many of them are of little importance, but some worthy of preservation, and I have procured my Secretary, Col. Watts, to have recorded in a book, kept for that purpose, the most important official documents. In this I followed the example of my predecessor, Gov. Hammond, and besides these, but few other documents or records will be found on file from the time of the revolution

down to this day. I have therefore found it necessary to draw on my own resources, and to frame proceedings according to my own notions of propriety, for every order or process that I have made or issued, and I suppose that every one of my predecessors has been obliged to do the same, for no precedents are to be found in the office, and there can have been nothing like uniformity—much irregularity must have prevailed.

I had desired and intended to bring all these matters to your notice, during the first week of your Session, but a severe indisposition has put it out of my power to give attention to any business until within the last day or two.

My term of office will expire when you shall have elected my successor, and after a continued public service for thirty-eight years, I shall go into retirement, with the purpose of contributing, during the probably short remainder of my life, all that I can towards the improvement and happiness of my species, individually and collectively; and of preparing myself for the great change which inevitably awaits me. I, therefore, avail myself of the occasion to tender to the citizens of the State, through you, my grateful acknowledgments, for the many favors conferred upon me; and for their abiding confidence through so long a period. All that I can claim for myself, is, to have endeavored to serve them with fidelity. I pray that Almighty God may so order His Providence, that peace, happiness, and prosperity may pervade our beloved State through all its borders—in all time to come.

DAVID JOHNSON.

The following message was received from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES, }  
December 9, 1848. }

*Mr. President, and Gentlemen of the Senate:*

This House has referred so much of the Governor's Message No 1, as relates to the Wilmot Proviso, and the agitation of the slave question, by the non-slave holding states, to the committee on Federal Relations of this House, consisting of Messrs. HUGER, HENRY, ELLIOTT, HARRINGTON, WILLIAMS, CANTY, W. A. OWENS, MOORE, and ELIAS EARLE, and respectfully asks Senate to appoint a Committee to confer with the committee of this House, on that subject,

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

The Senate concurred and returned a message, informing the House of Representatives that the Committee on Federal Relations, consisting of Messrs. MANNING, ASHE, R. F. W. ALLSTON, WITHERSPOON and PORTER, had been appointed the committee on the part of the Senate to meet the committee of the House of Representatives on this subject.



The following message was received from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES, }  
December 11, 1848. }

*Mr. President, and Gentlemen of the Senate:*

This House proposes to Senate to go into an election to-morrow at 1 o'clock for Governor, and immediately thereafter into an election for Lieutenant Governor.

By order of the House

JOHN IZARD MIDDLETON, Speaker.

The Senate concurred and sent a message accordingly:

On motion of Mr. MANNING, the report of the committee on Federal Relations, on so much of the Governor's message No. 1, as relates to slavery, the resolutions of the Senators from Union, St. James Santee, and Richland, and the proceedings of a meeting of the citizens of Orangeburg, in relation to the same subject, was recommitted.

Mr. HANNA presented the favorable report of the Committee on the Military and Pensions, on a resolution from the House of Representatives, in relation to the Palmetto Regiment, recommending concurrence—which was ordered for consideration to-morrow.

Mr. PORTER presented the following resolutions:

*Resolved*, That in the opinion of this General Assembly, the Bank of the State should persevere steadily in the policy of calling in its funds and purchasing up the public debt, for which the capital or profits of the Bank stand pledged.

*Resolved*, That the President and Directors of the Bank are authorized and directed to take immediate steps for effecting, if practicable, arrangements with the holders of the Fire Loan Bonds, to anticipate the periods and lessen the instalments now prescribed for payment thereof, in the manner suggested in the report of the Ways and Means Committee of the House, on the 1st December, 1847.

*Resolved*, That it would be a violation of good faith in the State to abolish or wind up the Bank of the State, before the public debt, for which the capital or profits of the said Bank have been pledged, has been fully redeemed, or the consent of the holders of the said Bonds has been thereto obtained.

*Resolved*, That whenever the said debt shall have been paid, or the said consent obtained, it will, in the opinion of this General Assembly, be in accordance with the best interests of the State to wind up the concerns of the Bank of the State, by such gradual processes as will do the least possible injury to the public or to individuals.

The resolutions were referred to the Committee of the Whole, to sit this day at 1 o'clock, and were ordered to be printed.

Mr. MOSES offered the following resolutions:

Whereas, the Senate, at its session of 1846, adopted the following resolutions:

"1. *Resolved*, That it would be highly unwise and inexpedient to abolish the Bank of the State.

"2. *Resolved*, That when the State of South Carolina pledged the profits and capital of the Bank to her creditors, as a security for money borrowed, she did so in honesty of purpose, and good faith.

"3. *Resolved*, That the Bank of the State cannot be abolished directly, nor its business, stability and prosperity undermined by indirection, without a violation of good faith, and dishonor to the State, unless the holders of the stock of the State, for which it is pledged as a security, be first paid, or their consent obtained therefor."

And whereas nothing has transpired since that period to change the views of this body in relation to the matters contained in the said resolutions—

*Resolved*, That this Legislature do re-affirm the same.

The resolutions were referred to the Committee of the Whole, to sit this day at 1 o'clock, and were ordered to be printed.

Mr. BLACK offered the following resolutions:

Whereas, many grave charges have been made through the newspapers of this State, and have been extensively circulated by said papers, and other means, against the management of the Bank of the State and its Branches, which said charges are calculated greatly to impair, if not entirely to destroy the confidence of the public in said Bank, and thereby cripple its energies, and greatly diminish its usefulness. And notwithstanding said charges have been denied by the persons intrusted with the management of said Bank, the same are re-iterated by gentlemen of standing and responsibility. And

Whereas, it is of all importance that this House should know the truth or falsity of said charges, and should have full and disinterested evidence of the true state and condition of the said Bank and its Branches, and the management thereof, before any definite action can be taken by this House in reference to said Bank. Be it therefore

*Resolved*, That a Joint Special Committee of five persons, to be elected by joint ballot of the two Houses, be appointed, whose duty it shall be to investigate and ascertain the true state and condition of said Bank, and its Branches, and the management thereof; and when the same shall be ascertained, the said committee shall make a full report thereon, containing all the evidence taken by them as to its state, condition, and management, on said investigation, and no evidence shall be taken except the same be on oath.

2d. That said committee shall have full power and authority, to sit from

day to day, after the adjournment of this General Assembly, and at such place or places, as said committee may deem most proper, until said investigation is completed. The said committee shall take all evidence of persons on oath examined before them, and for such purpose shall have full power and authority to summon the Officers and Directors, and Agents of said Bank and its Branches, and all persons whose testimony said committee may deem material to aid in said investigation, and to administer oaths to all such persons so brought before them, and to have all the power and authority now vested in any of the Courts of Record in this State, to compel the attendance of witnesses, and to enforce decorum whilst conducting said investigation.

3d. That the members of said committee shall each receive the sum of dollars per day, whilst actually employed in said investigation, and shall be allowed all reasonable sums paid by them for services of Clerks to take down evidence, and execute the writing to aid in said investigation.

The resolutions were referred to the Committee of the Whole, to sit this day at 1 o'clock, and were ordered to be printed.

Mr. GRIFFIN gave notice that on to-morrow he will ask leave to introduce a Bill to provide for the examination and management of the Bank of the State of South Carolina and its branches.

At the hour of 10 minutes past 1 o'clock the Senate proceeded to the special order for the day—viz: So much of the Message No. 1 of His Excellency, the Governor, as relates to the Bank of the State of South Carolina; the resolutions offered by the Senator from Abbeville, Mr. MARSHALL, and the amendment to the same, offered by the same gentleman; and the resolutions offered by Mr. DETREVILLE, the Senator from St. Helena, on the same subject; the resolutions offered by Mr. PORTER, Senator from St. Philips and St. Michaels; Mr. MOSES, Senator from Claremont, and Mr. BLACK, Senator from Richland, on the same subject.

Pursuant to an order previously made, the Senate resolved itself into a Committee of the Whole.

Mr. WITHERSPOON the Senator from York, was called to the chair, and after some time spent therein, the Committee rose, the President resumed the chair, and the Senate proceeded to business.

Mr. WITHERSPOON, reported that the Committee had had the several matters committed to them under consideration, had made progress, and asked leave to sit again to-morrow, at 2 o'clock, and the same was ordered.

Mr. WITHERSPOON, in behalf of the committee of the whole, asked that certain resolutions offered in the committee by Mr. MAZYCK, be printed, and same was ordered.

On motion of Mr. MOSES it was ordered that when the Senate adjourns it shall stand adjourned to meet to-morrow at 11 o'clock.

Pursuant to notice, and with leave of the Senate, Mr. WARE introduced A Bill to incorporate the Greenville Rail Road Company. The bill received the first reading, and was referred to the committee on Incorporations and Engrossed Acts.

The President laid before the Senate, the report of the Comptroller General, on contingent accounts against the lower division of the Treasury; which was referred to the committee on Accounts and Vacant Offices,

Mr. QUATTLEBAUM called up from the table, the report of the committee on Incorporations and Engrossed Acts, on A Bill to incorporate the Laurel Falls Manufacturing Company. The Bill received the second reading, was agreed to, and was ordered to be sent to the House of Representatives.

Mr. GAUSE presented the petition of Ely Godbold, Sheriff of Marion district, for payment, for blankets furnished for the jail; which was referred to the committee on Claims and Grievances.

On motion of Mr. R. F. W. ALLSTON, the Senate adjourned, at 16 minutes past 4 o'clock.

## TUESDAY, DECEMBER 12, 1848.

The Senate met at 11 o'clock, pursuant to adjournment.

The Clerk read the Journal of the proceedings of yesterday.

The following Message was received from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES, }  
December 11, 1848. }

*Mr. President and Gentlemen of the Senate:*

This House insists upon asking leave of the Senate to amend the Senate's Message, proposing to this House to adjourn the present session of the Legislature, by striking out the words "Monday the 18th inst.," and inserting the words "Wednesday the 20th inst.," and has appointed Messrs. MEM-MINGER, TOWNES and ADAMS, a committee to confer upon the subject, and asks Senate to appoint a similar committee to meet the committee of this House on that subject.

By order of the House.

JOHN IZARD MIDDLETON, Speaker.

The Senate insisted on refusing leave to amend, and concurred in so much as requests a committee of Conference. Messrs. MOSES, WITHER-SPOON, and FELDER, were appointed the committee, and a Message was sent to the House of Representatives accordingly.

Mr. MOSES presented the report of the committee on the Judiciary, to which had been referred "a Bill to vest the right and title of the State, in and to the estate of Elizabeth H. Kerr, deceased, in Hamilton H. Boland," recommending its passage; the report was ordered for consideration to-morrow; also,

The report of the same committee, on "a Bill to establish the allowance of days of grace upon Bills of Exchange at sight," recommending its passage; the report was ordered for consideration to-morrow.

Mr. MOSES, from the same committee, to whom was referred the report of the Special Committee of the Board of Trustees of the South Carolina College, upon the proposed prohibition of the collection of demands against Students of the South Carolina College, reported

"A Bill to prohibit the collection of demands against Students of the South Carolina College;" the Bill received the first reading, and was ordered for a second reading to-morrow, and to be printed.

Mr. BLACK, from the committee on Accounts and Vacant Offices, reported, that the term of one of the Senators of the United States from this State, expires on the fourth day of March next, and that an election will have to be had at this session for that office; and the committee also reported the office of Superintendent of Public Works as vacant; which was ordered to lie on the table.

The House of Representatives sent to the Senate for concurrence, the report of the committee of Ways and Means of that House, on the petition of Hannah Thompson, praying for a new certificate of stock; also,

On the report of the City Council of Charleston, as to the transient poor fund; which were referred to the committee on Finance and Banks.

Mr. MANNING presented the report of the Joint Special Committee, appointed on the part of the Senate, consisting of the committee on Federal Relations, to which had been re-committed the report of the committee on Federal Relations in relation to slavery; the report was ordered for consideration to-morrow, and to be printed.

The House of Representatives sent to the Senate a Bill, to amend an Act, entitled an Act to grant the use of a vacant lot in the Town of Columbia, to the Palmetto Lodge No. 5, of the Independent Order of Odd Fellows, on certain conditions, passed 17th Decr. 1847; the Bill received the first reading, and was referred to the committee on the College, Education and Religion.

Mr. PORTER presented the petition of A. E. Miller, praying aid in the

publication of a Digest of the Rules of the several Courts, and of Forms for Sheriffs and Clerks, accompanied by a copy of the work. The petition and Digest were referred to the committee on the judiciary.

Mr. PORTER presented the report of the committee on Claims and Grievances, on the report of the committee on Claims of the House of Representatives, on the account of the Camden Journal for public printing; and

On the report of the same committee of the House of Representatives on the account of John E. Grist for public printing, recommending concurrence. The reports were ordered for consideration to-morrow.

Mr. JOHNSON offered the following resolution, which was referred to the committee on Roads and Buildings:

*Resolved*, That a committee be appointed to inquire into and report, at the next session of the Legislature, the practicability or necessity of enquiring into the mode of relieving a large portion of the citizens of this State from certain exactions required of them by a private company, owning and controlling a certain road, called the Union Ferry Road—the great highway leading from Savannah to Charleston—and that the following gentlemen constitute the committee, to report at the next session of the Legislature:—Josiah D. Johnson, Benj. G. Allston, Capt. A. M. Ruth, A. M. Martin, Robert L. Tillinghast, Thos. Gillison.

The committee on the Judiciary was discharged from the further consideration of the memorial of the Medical Association of South Carolina, praying the passage of a law to provide for the registration of births, deaths, and marriages; and leave was granted to Mr. JOHN S. PALMER to withdraw the petition.

Mr. WITHERSPOON presented the unfavorable report of the committee on Roads and Buildings, on the direct and counter memorial of citizens of Edgefield District, in relation to a road; and also

The unfavorable report of the same committee, on the petition of citizens of St. George's Dorchester, in relation to a road; which were ordered for consideration to-morrow.

On motion of Mr. MOSES, leave was given to the Special Joint Committee of Free Conference on the subjects of difference between the two houses in relation to the adjournment of the Legislature, to sit during the sittings of the Senate.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

A Bill to abolish the office of Superintendent of Public Works, and for other purposes, received the second reading, was agreed to, and was ordered to be sent to the House of Representatives.

The General Orders were suspended.

The Senate proceeded to the special order for this hour, 12 o'clock, the reference of Message No. 3, of his Excellency the Governor. Mr. ALLSTON offered the following resolutions :

*Resolved*, That so much of the Governor's message, No. 3, as relates to memorials of the Mexican war, the Palmetto regiment, the funds appropriated in aid of, and for the benefit of the same, the widows and orphans of volunteers, arms and munitions of war, and brigade encampments, be referred to the committee on the Military and Pensions.

That so much as relates to the fund for the education of the deaf and dumb, and the blind, with the documents, be referred to the committee on the College, Education and Religion.

That so much as relates to the variation of the magnetic needle, and to weights and measures, be referred to the Committee on Agriculture and internal Improvements.

That so much as relates to the office of the Executive Department, be referred to the Committee on Roads and Buildings.

That the accounts of the Executive be referred to a Special Joint Committee.

And so much as relates to a monument, be referred to the Committee on Finance and Banks.

On motion of Mr. MOSES, the last Resolution was amended, by striking out "the Committee on Finance and Banks," and substituting "a Special Committee." The Resolutions, as amended, were agreed to, and the message was referred accordingly ; and the remaining portions of the message were ordered to lie on the table.

Messrs. R. F. W. ALLSTON, WITHERSPOON, and GIST were appointed a Special Committee, on the part of the Senate, in relation to the contingent accounts of His Excellency, the Governor, and a message was sent to the House of Representatives, asking the appointment of a similar committee, to meet the committee of the Senate on this subject.

Messrs. MOSES, DETREVILLE, J. S. PALMER, WARE, and QUATTLEBAUM were appointed the Special Committee, under the last Resolution.

The Senate, at the hour of 1 o'clock, joined the House of Representatives in balloting for Governor. Messrs. GIST and GOODWYN were appointed the Committee, on the part of the Senate, to count the ballots.

The Senate resumed the

#### GENERAL ORDERS OF THE DAY.

A Bill to provide competent Teachers of Free Schools, was on motion of Mr. WITHERSPOON, ordered to be placed in the General Orders of the Day for to-morrow.

The General Orders were again suspended.

Mr. PORTER presented the favorable reports of the committee on Claims and Grievances, on the account of Richard Holmes for work on cases for Senate records.

On the report of the committee on Claims of the House of Representatives on the account of O. H. Wells, for public printing.

On the report of the same committee, on the account of Burt and Doby, for blankets furnished the Jail of Edgefield District.

On the report of the same committee, on the account of W. F. Durisoe, for public printing; also,

The report of the committee on Claims and Grievances, on the report of the committee on Claims of the House of Representatives, on the account of Todd and Russell, for public printing, recommending the payment of a portion of the account; all of which were ordered for consideration to-morrow.

Pursuant to notice and with leave of Senate, Mr. GRIFFIN introduced a Bill to provide for an examination of the administration and condition of the Bank of the State of South Carolina, and its branches.

The Bill received the first reading, and was referred to the Committee of the Whole, to sit this day at 2 o'clock, and was ordered to be printed.

The Senate, pursuant to messages interchanged, joined the House of Representatives in balloting for Lieutenant Governor. Messrs. GRIFFIN and GRIMBALL were appointed the committee, on the part of the Senate, to count the ballots.

At 1 o'clock, the Senate proceeded to the

#### SPECIAL ORDER FOR 1 O'CLOCK.

The favorable report of the committee on Privileges and Elections, on a Bill to give the election of Electors of President and Vice President of the United States to the people, and on motion of Mr. BLACK, the Special Order was discharged, and the same subject was made the special order for tomorrow at half past eleven o'clock.

Mr. BUCHANAN presented the petition of sundry persons, members of Concord Church, Fairfield District, praying a renewal of their charter of incorporation, which was referred to the committee on Incorporations and Engrossed Acts.

The House of Representatives sent to the Senate

A Bill to provide for funding the debt of the South Carolina Rail Road Company to the State, and the report of the committee of Ways and Means of that House on the same subject. The bill received the first reading, and the bill and report were referred to the committee on Finance and Banks; and also

A Bill to declare Poke Swamp, in St. George's Parish, a navigable



stream. The bill received the first reading and was referred to the committee on Agriculture and Internal Improvements : and also

A Bill to amend the 71st section of an Act to reduce all Acts and clauses of Acts, in relation to the militia of this State, to one Act, and to alter and amend the same ; passed on the 17th day of December, Anno Domini, 1841. The bill received the first reading and was referred to the committee on the Military and Pensions.

The House of Representatives also sent to the Senate for concurrence,

The report of the committee on Claims, on the account of James Powell for public printing, which was referred to the committee on Claims and Grievances.

The report of the Medical Committee, on the account of Dr. C. Smith ; and

The report of the same committee on the account of J. S. Mitchell ; which were referred to the committee on the Lunatic Asylum and Medical Accounts.

The Senate again resumed the

#### GENERAL ORDERS OF THE DAY,

and proceeded to the second reading of

A Bill to authorize and empower the Commissioners of Free Schools of the Parishes of St. Philip's and St. Michael, to raise a fund for the building of Free School houses. The bill received the second reading—the words “ *and for other purposes* ” were added to the title of the bill, in pursuance to the recommendation of the committee on the College, Education and Religion, and the bill was agreed to, and was sent to the House of Representatives.

The General Orders were again suspended, and Mr. GIST, from the committee appointed on the part of the Senate to count the ballots for Governor, reported, that neither gentleman voted for had received a majority of votes, and there was therefore no election.

On motion of Mr. QUATTLEBAUM, a message was sent to the House of Representatives, proposing to that House to go forthwith into a second ballot for Governor, to which the House of Representatives returned the following reply.

IN THE HOUSE OF REPRESENTATIVES, }  
December 12, 1848. }

*Mr. President and Gentlemen of the Senate—*

This House concurs with the Senate, to go forthwith into another ballot for Governor.

By order of the House.

JOHN IZARD MIDDLETON, Speaker.

The Senate thereupon immediately proceeded to join the House of Representatives in a second ballot for Governor. Messrs. HANNA and HIBBEN were appointed the Committee, on the part of the Senate, to count the ballots.

Mr. GRIFFIN, from the Committee, on the part of the Senate, to count the ballots for Lieutenant Governor, reported that the Hon. William H. Gist had received a majority of votes, and was therefore duly elected.

Mr. MOSES, from the Joint Special Committee, appointed, on the part of the Senate, to confer with a committee of the House of Representatives, on the subject of the difference between the two Houses, in relation to the day of the adjournment of the Legislature, submitted the following report, which was agreed to by the Senate.

The Committee of Free Conference, to whom was referred the difference between the two Houses, as to the day of adjournment, respectfully report :

That they have duly considered the same, and have agreed to recommend the 20th inst. as the day of adjournment. They therefore recommend that leave be granted to amend, accordingly, the Resolution of the Senate.

At the hour of 10 minutes past 2 o'clock the Senate proceeded to the special order for the day, viz: so much of the Message No. 1 of his Excellency, the Governor, as relates to the Bank of the State of South Carolina; the Resolutions offered by the Senator from Abbeville, Mr. MARSHALL, and the amendment to the same, offered by the same gentleman; the Resolutions offered by Mr. DeTREVILLE, the Senator from St. Helena, on the same subject; the Resolutions offered by Mr. PORTER, Senator from St. Phillips and St. Michaels; by Mr. MOSES, Senator from Claremont, and by Mr. BLACK, Senator from Richland, on the same subject; and a Bill to provide for an examination of the administration and condition of the Bank of the State of South Carolina, and its Branches.

Pursuant to an order previously made, the Senate resolved itself into a Committee of the Whole.

Mr. WITHERSPOON, the Senator from York, was called to the chair, and after some time spent therein, the Committee rose, the President resumed the chair, and the Senate proceeded to business.

Mr. WITHERSPOON reported that the Committee had had the several matters committed to them, under consideration, had made progress, and asked leave to sit again to-morrow, at 1 o'clock, and the same was ordered.

Mr. HANNA, from the committee appointed on the part of the Senate, to count the votes for Governor on the 2d ballot, reported that the Hon. Whitemarsh B. Seabrook had received a majority of votes, and was therefore duly elected Governor of South Carolina.

On motion of Mr. QUATTLEBAUM, a committee was appointed to wait upon the Governor elect, to inform him of his election, and to know when he will be pleased to qualify.

Messrs. QUATTLEBAUM, WITHERSPOON, and SKIPPER, were appointed the committee.

The following Message was received from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES, }  
December 12, 1848. }

*Mr. President and Gentlemen of the Senate:*

This House concurs with Senate, in appointing a Special Committee on the Contingent Accounts of his Excellency the Governor, and has appointed Messrs. HARRINGTON, J. T. OWENS, and LAW, a Special Committee of this House, to meet the committee of the Senate, on that subject.

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

The following Message was also received from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES, }  
December 12, 1848. }

*Mr. President and Gentlemen of the Senate:*

This House asks leave of Senate to amend the Message of Senate, proposing to this House an adjournment of the present session of the Legislature, by striking out the words "Monday the 18th inst.," and inserting the words "Wednesday the 20th inst."

By order of the House,

JOHN IZARD MIDDLETON, Spcaker.

The Senate concurred, and sent a Message accordingly.

The President laid before the Senate, the report of the Solicitor of the Middle Circuit, on District Offices and Officers, which was referred to the committee on the Judiciary.

On motion of Mr. MOSES, it was ordered, that when the Senate adjourns, it shall stand adjourned to meet to-morrow at 11 o'clock.

On motion of Mr. GAUSE, the Senate adjourned, at 6 minutes past 4 o'clock.

## WEDNESDAY, DECEMBER 13, 1848.

The Senate met at 11 o'clock, pursuant to adjournment.

The Clerk read the journal of the proceedings of yesterday.

The President laid before the Senate the report of T. N. Dawkins, Solicitor of the Northern Circuit, on district offices and officers; which was referred to the committee on the Judiciary.

The House of Representatives sent to the Senate for concurrence,

The report of the Joint Committee on Federal Relations, on the Governor's Message, and sundry resolutions on the Wilmot Proviso; which was ordered to lie on the table; also,

A Bill to repeal all Acts and clauses of Acts of the General Assembly, raising a salary for the office of Adjutant General; also,

A Bill to exempt certain officers of certain Fire Companies, from ordinary Militia duty; which had severally received two readings in the House of Representatives; the Bills received the first reading in the Senate, and were referred to the committee on the Military and Pensions.

The House of Representatives also sent to the Senate,

A Bill to authorize a special election for Tax Collector by the people of Laurens, which had received two readings in the House of Representatives; the Bill received the first reading in the Senate, and was referred to the committee on the Judiciary; also,

A Bill to increase the powers of the Town Council of Columbia, which had received two readings in the House of Representatives; the Bill received the first reading in the Senate, and was referred to the committee on Incorporations and Engrossed Acts.

Mr. GIST offered the following preamble and resolution, which were ordered for consideration to-morrow, and to be printed.

WHEREAS, the Nesbit Manufacturing Company contracted a debt with the Bank of the State, in the year 1841, amounting to \$91,898 77, which amount had been previously loaned to individual members of the company, during the administration of a former President of the Bank, about the year 1837. And up to December 1844, no part of the principal or interest had been paid, as we are informed by the report of the President, in answer to a call of the Senate for information concerning the debts of Incorporate and Manufacturing Companies.

And whereas, the Bank, in pursuance of joint resolutions passed in 1844, sold the property belonging to the Nesbit Company on the 10th and 11th

September, 1845, for the sum of \$128,505; all of which property was bought in by the Bank, except \$3615, bought by other purchasers.

And whereas, a Special Committee, in December 1846, informed the Senate that "a sale of the property had been effected, and is being carried out as fast as the nature of such a transaction can be done," and that "the deeds and other papers necessary to the transfer to the purchasers, are in the hands of the Attorney General, and your committee are assured that the whole transaction will be finally adjusted in a short time."

*Be it therefore resolved*, That the President of the Bank be requested to inform the Senate, whether the deeds and other necessary papers have been executed to the purchasers of the Nesbit Works; and if so, at what time—and what is the amount of the whole debt, and whether the interest has been paid on the first of January last, or at any other time; and whether any payment has ever been made, either of principal or interest, since the debt was contracted.

Mr. QUATTLEBAUM, from the committee appointed to wait on the Governor elect, to inform him of his election, reported that the committee had discharged the duty assigned them, and that the Hon. Whitemarsh B. Seabrook, had signified his intention to accept the office of Governor of the State, to which he has been elected, and proposes to take the oath as prescribed by the Constitution, on Thursday next, at 1 o'clock, P. M.

Mr. QUATTLEBAUM offered the following resolution, which was agreed to.

*Resolved*, That a committee of three be appointed to meet a similar committee of the House of Representatives, to make arrangements for the inauguration of the Governor elect, on to-morrow at 1 o'clock, P. M., and that a Message be sent to the House, informing them of the appointment of said committee on the part of the Senate, and asking the appointment of a committee on the part of the House. Messrs. QUATTLEBAUM, BARNES, and IRBY, were appointed the committee on the part of the Senate.

Mr. TAYLOR presented the favorable report of the committee on Agriculture and Internal Improvements, on the memorial of the Town Council of Hamburg, and the citizens thereof, praying an appropriation for improvement of the navigation of Savannah river, which was ordered for consideration to-morrow.

At the hour of half past eleven o'clock, the Senate proceeded to the

#### SPECIAL ORDER FOR THIS HOUR,

The favorable report of the committee on Privileges and Elections, on a Bill to give the election of Electors of President and Vice President of the United States, to the people.

On motion of Mr. BLACK, the Special Order was discharged, and the same subject was made the Special Order for this day, at 3 o'clock.

The Senate proceeded to the

### GENERAL ORDERS OF THE DAY.

The report of the Special Committee, upon the communication of the Clerk of the Senate, in relation to the records and papers of the Senate, was ordered to lie on the table.

A Bill to amend an act entitled "An Act more effectually to prevent free negroes, and other persons of color, from entering into this State, and for other purposes" passed the nineteenth day of December in the year of our Lord 1835. And

The unfavorable report of the committee on the Judiciary on the petition of 615 citizens of Edgefield, Barnwell and Orangeburg districts, praying for a new district, were ordered to lie on the table.

The general orders were suspended and the following message was received from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES. }  
December 13, 1848. }

*To the Hon. the President, and Gentlemen of the Senate :*

This House invites Senate to unite with this body, in the Hall of the House of Representatives, in the inauguration of his Excellency the Governor Elect, to-morrow at 1 o'clock.

By order the House.

JOHN IZARD MIDDLETON, Speaker.

The Senate returned a message accepting the invitation of the House of Representatives.

The general orders of the day were resumed.

A Bill to vest all the right title and interest of the State, in and to a certain tract of land granted to Haley Connelly, otherwise called Harley Connelly, in Susannah Connelly. And

A Bill to confirm a grant to James M. Harris, which by mistake was issued to James W. Harris, each received the second reading, were agreed to and were ordered to be sent to the House of Representatives.

The unfavorable report of the committee on the Judiciary on A Bill to alter and amend an act entitled An Act to regulate the fees of the officers of the Courts of Law and Equity in this State, and for other purposes therein mentioned, passed the 19th December, 1827, was ordered to lie on the table, and the Bill and report were ordered to be printed.

The unfavorable report of the committee on the Judiciary, on A Bill to increase the number of Magistrates for Marion district. And

The unfavorable report of the same committee on A Bill to alter and amend the law in relation to Magistrates executions, were ordered to lie on the table.

The unfavorable report of the committee on the Judiciary, on the petition of citizens of St. James Santee, praying for the passage of a law to protect them from the driving away of cattle by persons residing at a distance.

A Bill to connect by Rail Road, the South Carolina Rail Road with the waters of Charleston Harbor, which had been reported by the committee on Incorporations and Engrossed Acts; were ordered to lie on the table.

The unfavorable report of the committee on Incorporations and Engrossed Acts, on A Bill to authorize a reduction of the capital of the Charleston Cotton Manufacturing Company, was agreed to, and the bill was consequently rejected.

The unfavorable reports of the committee on Incorporations and Engrossed Acts on the petition of sundry citizens of Marion district and village, praying a repeal of the act of incorporation of that village. And

On the petition of sundry citizens of Marion village praying an amendment of the act of incorporation of said village, were agreed to.

The unfavorable report of the Committee on Incorporations and Engrossed Acts, on the petition of sundry citizens of this State, for a charter to construct a Rail-road from, or near, Charleston, to, or near, Silver Bluff, on Savannah River, and from thence across the said River, to the State of Georgia; and

The unfavorable report of the same Committee on the memorial of James Gadsden, for a charter of a Rail-road from the South Carolina Rail Road to the Savannah River, at or near Silver Bluff, were ordered to lie on the table.

The favorable report of the Committee on Claims and Grievances, on the account of the Daily Telegraph newspaper, for printing; and

The favorable report of the same Committee, on the account of W. W. Purse, for work done in the Senate chamber, were agreed to, and were ordered to be sent to the House of Representatives for concurrence.

The unfavorable reports of the same Committee, on the account of John C. Evans, late Clerk of Chesterfield District, praying to be refunded money paid for advertising notices of State's prisoners; and

On the account of R. E. Russell, for work done on the State House grounds; and

On the petition of William F. Pearson, praying compensation for taking census in the year 1808, were agreed to.

The favorable report of the same committee, on the account of W. L. Robeson, for blankets furnished the jail of Chesterfield District, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

A resolution providing that electors of President and Vice President of the United States, who are not members of the Legislature, be allowed the

same pay and mileage as members of the Legislature during their term of service, was concurred in, and returned to the House of Representatives.

The report of the committee on the Military, on the petition of H. & E. Horlbeck, praying payment for repairs to the Arsenal at Charleston; and

The report of the same committee, on the petition of C. Mathesson, for supplies furnished to the Volunteers of this State, were concurred in, and ordered to be returned to the House of Representatives.

The committee on Agriculture and Internal Improvement, was discharged from the further consideration of the petition of James S. Guignard, praying the Legislature to declare null and void, a title supposed to have been improperly obtained, and the petition was ordered to lie on the table.

The report of the committee on Internal Improvements of the House of Representatives, on the report of John Gibbes, Superintendent of Public Works, was concurred in, and returned to the House of Representatives.

The report of the committee on Agriculture and Internal Improvements, on a resolution of the Commissioners of Roads of St. James, Goose Creek, in relation to the State Road, was agreed to, and the committee was discharged from the further consideration of the resolution.

The report of the committee on Internal Improvements of the House of Representatives, on the supplemental report of E. Drayton Earle, late Superintendent of Public Works, was concurred in, and returned to the House of Representatives.

The report of the committee on Finance and Banks, on the petition of Mary Thompson, praying a new certificate of State 6 per cent. stock be issued to her, was ordered to lie on the table.

The following favorable reports of the committee on Finance and Banks were agreed to, and were ordered to be sent to the House of Representatives for concurrence.

On the petition of John L. Hart, praying to be refunded a tax improperly paid.

On the petition of the Commissioners of the Poor for Georgetown district.

On the petition of John Ballard, late Tax Collector of Claremont, praying to be refunded money paid as interest.

On the petition of Alfred M. Lowrey, late Sheriff of Chesterfield district, praying that money erroneously paid by him to the Treasurer, be refunded.

On the report of the City Council of Charleston, on the permanent and transient poor.

The committee on Finance and Banks, was discharged from the further consideration of a resolution instructing them to enquire and report upon the expediency of the State subscribing stock in the Wilmington and Manchester Rail Road, and the same committee was also discharged from the further consideration of a resolution directing them to enquire and report, what de-



ductions ought and should be made in the salaries and fees of the several public officers of the State.

The same committee was also discharged from the further consideration of a resolution from the House of Representatives, for limiting the issue of bills or promissory notes by Banks or corporate bodies, and the resolution was ordered to be returned to the House of Representatives.

The General Orders were suspended, and Mr. R. F. W. ALLSTON called up from the table,

The report of the committee on the College, Education and Religion, on the petition of the Commissioners of Free Schools for St. George's Dorchester, praying to be allowed the appropriation for the year 1847, and

The report of the same committee, on the memorial of the Commissioners of Free Schools of Pickens District, praying for relief; and the reports were agreed to, and were ordered to be sent to the House of Representatives for concurrence.

The Senate resumed the

#### GENERAL ORDERS OF THE DAY.

The report of the Committee on Claims and Grievances, on the petition of Richard Singleton, executor of John Singleton, deceased, recommending payment of a portion of the claim, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The report of the Committee on Claims, of the House of Representatives, on the account of John E. Grist, for public printing, was concurred in, and ordered to be returned to the House of Representatives.

The unfavorable report of the Committee on Claims and Grievances, on the petition of Price and Berry, for additional compensation for work done in the Senate chamber, was agreed to.

asked leave to sit again to-morrow, at 2 o'clock, and the same was ordered.

#### SPECIAL ORDER FOR 1 O'CLOCK.

At the hour of 1 o'clock the Senate proceeded to the Special Order for the day, viz: so much of the Message No. 1 of his Excellency the Governor, as relates to the Bank of the State of South Carolina; the Resolutions offered by the Senator from Abbeville, Mr. MARSHALL, and the amendment to the same, offered by the same gentleman; the Resolutions offered by Mr. DeTREVILLE, the Senator from St. Helena, on the same subject; the Resolutions offered by Mr. PORTER, Senator from St. Philips and St. Michaels; by Mr. MOSES, Senator from Claremont, and by Mr. BLACK, Senator from Richland, on the same subject; and a Bill to provide for an examination of the administration and condition of the Bank of the State of South Carolina and its Branches.

Pursuant to an order previously made, the Senate resolved itself into a Committee of the Whole.

Mr. WITHERSPOON, the Senator from York, was called to the chair, and after some time spent therein, the Committee rose, the President resumed the chair, and the Senate proceeded to business.

Mr. WITHERSPOON reported that the committee had had the several matters committed to them under consideration, had made progress, and

Mr. WITHERSPOON, in behalf of the Committee, asked that a Bill to amend the charter of the Bank of the State of South Carolina, be printed, and the same was ordered.

Mr. BUCHANAN presented the report of the Committee on Finance and Banks, on the report of the Committee of Ways and Means, of the House of Representatives, on the petition of Hannah Thompson, praying the renewal of a certificate of State 6 per cent. stock: and also

The report of the same committee, on the report of the Committee of Ways and Means, of the House of Representatives, on the Report of the Transient Poor for Charleston, recommending concurrence therein. The reports were ordered for consideration to-morrow.

Mr. CANNON presented the petition of the Wardens and Vestry of the Protestant Episcopal Church at Glenn's Springs, Spartanburg District, praying an Act of incorporation; which was referred to the Committee on Incorporations and Engrossed Acts.

The following message was received from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES, }  
December 13, 1848. }

*Mr. President and Gentlemen of the Senate:*

This House concurs in message of Senate, proposing to this House to appoint a special committee to meet a committee of the Senate, to make arrangements for the inauguration of the Governor elect, to-morrow, at 1 o'clock, P. M. and has appointed Messrs. SULLIVAN, HEYWARD, and J. D. WILLIAMS to act with the Committee of Senate, on that subject.

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

Mr. PORTER presented the report of the Committee on Claims and Grievances on the report of the Committee on Claims, of the House of Representatives, on the account of A. Herbemont, Clerk of the Court of Appeals, at Columbia; and also

The report of the same committee on the report of the Committee on Claims, of the House of Representatives, on the account of James Powell, for public printing, recommending concurrence; and also

The unfavorable report of the same committee, on the petition of Elly

Godbold, praying payment for guarding the jail of Marion District. The reports were ordered for consideration to-morrow.

Mr. HANNA presented the unfavorable report of the Committee on the Military and Pensions, on a Bill to amend the 71st section of an Act to reduce all Acts and clauses of Acts, in relation to the militia of this State, to one Act, and to alter and amend the same, passed the 17th day of December, Anno Domini, 1841. The report was ordered for consideration to-morrow.

Mr. GOODWYN presented the unfavorable report of the committee on the Lunatic Asylum and Medical Accounts, on the petition of Calvin Usey, praying compensation for a post mortem examination. And

The unfavorable report of the same committee, on the report of the Medical committee of the House of Representatives, on the petition of Dr. C. Smith, praying compensation for a post mortem examination. And

The unfavorable report of the same committee, on the petition of Dr. J. S. Mitchel, praying compensation for a post mortem examination; all of which were ordered for consideration to-morrow.

The Senate resumed the

#### GENERAL ORDERS OF THE DAY.

Resolutions in relation to the Palmetto Regiment, were concurred in, and were ordered to be returned to the House of Representatives.

A Bill to provide competent teachers of Free Schools, which had been reported by the committee on the College, Education and Religion, was before the Senate. The Bill having received the second reading, on the question of agreeing to the Bill, the yeas and nays were ordered to be taken, and they are as follows:

- Those who voted in the affirmative are

|                                      |                        |
|--------------------------------------|------------------------|
| The Hon. ANGUS PATTERSON, President, |                        |
| Messrs. R. F. W. Allston,            | Messrs. B. G. Allston, |
| Ashe,                                | Black,                 |
| Buchanan,                            | Cannon,                |
| DeTreville,                          | Ellerbe,               |
| Gause,                               | Goodwyn,               |
| Grimball,                            | Hanna,                 |
| Huger,                               | Manning,               |
| Moses,                               | P. P. Palmer,          |
| John S. Palmer,                      | Porter.                |
| Taylor,                              | Ward,                  |
| J. Wilson.                           |                        |

- Those who voted in the negative are

|                  |                 |
|------------------|-----------------|
| Messrs. Appleby, | Messrs. Barnes, |
| Bull,            | Caldwell,       |

|              |              |
|--------------|--------------|
| Cooper,      | Eaves,       |
| Evins,       | Felder,      |
| Gist.        | Griffin,     |
| Hibben,      | Irby,        |
| Johnson,     | Marshall,    |
| Mazyck.      | Quattlebaum, |
| Skipper,     | Walker,      |
| Ware,        | Williams,    |
| John Wilson, | Witherspoon. |

## YEAS 22—NAYS 22.

The Bill was therefore not agreed to, and was consequently rejected.

Mr. MOSES moved to reconsider the question of agreeing, for the purpose of putting the Bill in the general orders of the day for to-morrow; which question was also ordered to be taken by yeas and nays, and they are as follows :

Those who voted in the affirmative are

|                                      |                        |
|--------------------------------------|------------------------|
| The Hon. ANGUS PATTERSON, President, |                        |
| Messrs. R. F. W. Allston,            | Messrs. B. G. Allston, |
| Ashe,                                | Black,                 |
| Buchanan,                            | Cannon,                |
| De Treville,                         | Ellerbe,               |
| Gause,                               | Goodwyn,               |
| Grimball,                            | Hanna,                 |
| Manning,                             | Mazyck,                |
| Moses,                               | P. P. Palmer,          |
| J.S. Palmer,                         | Porter,                |
| Taylor,                              | Ward,                  |

Those who voted in the negative are

|                  |                 |
|------------------|-----------------|
| Messrs. Appleby, | Messrs. Barnes, |
| Bull,            | Caldwell,       |
| Cooper,          | Eaves,          |
| Evins,           | Felder,         |
| Gist,            | Griffin,        |
| Hibben,          | Huger,          |
| Irby,            | Johnson,        |
| Marshall,        | Quattlebaum,    |
| Skipper,         | Walker,         |
| Ware,            | Williams,       |
| J. Wilson,       | I. D. Wilson,   |
| Witherspoon.     |                 |

## YEAS 21—NAYS 23.

The motion to reconsider was therefore lost.

The general orders were again suspended.

### THE SPECIAL ORDER FOR 2 O'CLOCK.

The favorable report of the committee on Privileges and Elections, on a Bill to give the election of Electors of President and Vice President of the United States to the people, was discharged, on motion of Mr. BLACK, and the same subject was made the special order for to-morrow, at half past eleven o'clock.

Mr. APPLEBY presented the account of Thomas W. Stuttz, for injuries received by horses on the State roads; which was referred to the committee on Claims and Grievances.

On motion of Mr. BUCHANAN, it was ordered that when the Senate adjourns, it shall stand adjourned to meet to-morrow at 11 o'clock.

On motion of Mr. DeTREVILLE the Senate adjourned, at 10 minutes past 4 o'clock.

## THURSDAY, DECEMBER 14, 1848.

The Senate met at 11 o'clock, pursuant to adjournment.

The Clerk read the Journal of the proceedings of yesterday.

Mr. WITHERSPOON presented the favorable report of the committee on Roads and Buildings, on the memorial of the Commissioners of Public Buildings for Newberry District; as also on the Presentment of the Grand Jury of said district; which were ordered for consideration to-morrow.

The following Message was received from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES, }  
December 14, 1848. }

*Mr. President and Gentlemen of the Senate:*

This House proposes to Senate to go into ballot for United States Senator this day, immediately after the inauguration of his Excellency the Governor elect.

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

The Senate concurred, and sent a message accordingly.

The House of Representatives sent to the Senate for concurrence, the re-

port of the committee on Education, on the memorial of the Commissioners of Free Schools for Pickens District; and

The report of the same committee, on the memorial of the Commissioners of Free Schools for Abbeville District; and

The report of the same committee, on the petition of the Commissioners of Free Schools for the parish of St. George's, Dorchester; all of which were referred to the committee on the College, Education and Religion.

The House of Representatives also sent to the Senate for concurrence,

A resolution requiring the President of the Bank of the State to state the indebtedness and liabilities of the officers of the Bank of the State of South Carolina, which was referred to the committee on Finance and Banks.

The House of Representatives also sent to the Senate,

A Bill to alter and amend an Act, entitled "an Act to reduce all Acts and clauses of Acts, in relation to the Militia of this State, into one Act, and to alter and amend the same." The Bill received the first reading, and was referred to the committee on the Military and Pensions.

The House of Representatives also sent to the Senate,

A Bill to Incorporate the Keowee Turnpike Company; the Bill received the first reading, and was referred to the committee on Incorporations and Engrossed Acts.

The House of Representatives, also sent to the Senate,

A Bill to alter the sittings of the Courts of Equity in the third Circuit, and to establish a Court of Equity in Marlborough District; the Bill received the first reading, and was referred to the committee on the Judiciary.

The following Message was received from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES, }  
December 13, 1848.

*Mr. President and Gentlemen of the Senate;*

This House proposes to Senate, to go into ballot for President and Directors of the Bank of the State, to-morrow at 12 o'clock.

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

At the hour of 1 o'clock, the Senate proceeded to the

#### SPECIAL ORDER FOR THIS HOUR.

The favorable report of the committee on Privileges and Elections, on a Bill to give the election of the Electors for President and Vice President of the United States, to the people.

MR. MAZYCK moved that the farther consideration of the Bill be postponed to the first of January next.

MR. BLACK moved that a call of the Senate be made, which was ordered, and the following Senators answered to their names, viz.

## The Hon. ANGUS PATTERSON,

|                           |                      |
|---------------------------|----------------------|
| Messrs. R. F. W. Allston, | Hibben,              |
| B. G. Allston,            | Huger,               |
| Appleby,                  | Irby,                |
| Ashe,                     | Johnson,             |
| Barnes,                   | Manning,             |
| Black,                    | Marshall,            |
| Bull,                     | Mazyck,              |
| Buchanan,                 | P. P. Palmer,        |
| Caldwell,                 | John S. Palmer,      |
| Cannon,                   | Perry,               |
| Cooper,                   | Porter,              |
| DeTreville,               | Quattlebaum,         |
| Eaves,                    | Skipper,             |
| Ellerbe,                  | Taylor,              |
| Evins,                    | Walker,              |
| Felder,                   | Ward,                |
| Gause,                    | Ware,                |
| Gist,                     | Williams,            |
| Goodwyn,                  | John Wilson,         |
| Griffin,                  | Izaac D. Wilson, and |
| Grimball,                 | Witherspoon.         |
| Hanna,                    |                      |

On the question of postponement of the consideration of the Bill the yeas and nays were ordered to be taken, and they are as follows.

Those who voted in the affirmative are—

## Hon. ANGUS PATTERSON,

|                           |                  |
|---------------------------|------------------|
| Messrs. R. F. W. Allston, | Messrs. Johnson, |
| B. G. Allston,            | Mazyck,          |
| Appleby,                  | P. P. Palmer,    |
| Ashe,                     | John S. Palmer,  |
| Bull,                     | Perry,           |
| Buchanan,                 | Quattlebaum,     |
| DeTreville,               | Walker,          |
| Gist,                     | Ward,            |
| Goodwyn,                  | Williams,        |
| Grimball,                 | John Wilson,     |
| Huger,                    | Izaac D. Wilson. |

Those who voted in the negative are—

|                 |                |
|-----------------|----------------|
| Messrs. Barnes, | Messrs. Hanna, |
| Black,          | Hibben,        |

Caldwell,  
Cannon,  
Cooper,  
Eaves,  
Ellerbe,  
Evins,  
Felder,  
Gause,  
Griffin,

Irby,  
Manning,  
Marshall,  
Porter,  
Skipper,  
Taylor,  
Ware,  
Witherspoon.

Yeas, 23—Nays, 21.

The motion to postpone was, therefore, carried.

On motion of Mr. MANNING, the report of the Joint Special Committee, on the part of the House of Representatives, on Federal Relations, on the Governor's Message, and sundry Resolutions in relation to slavery, was called from the table; and the Senate, at the same time, proceeded to the

#### GENERAL ORDERS OF THE DAY—

The consideration of the report of the Joint Special Committee, on the part of the Senate, on the Governor's Message, and sundry Resolutions in relation to slavery.

On motion of Mr. MOSES, both reports were placed in the General Orders of the Day for to-morrow.

The General Orders were suspended, and Mr. MOSES, who was absent when the vote was taken upon the motion to postpone, to the 1st day of January next, the further consideration of a Bill to give the election of Electors of President and Vice President of the United States to the people, was permitted by the Senate to record the vote he would have given, if he had been present; and, upon his name being called, the Senator voted in the negative—against the postponement.

Mr. PORTER presented the account of Dr. Henry Boyleston, for medical services rendered to members of the Palmetto Regiment, while in camp, at the rendezvous in Charleston; which was referred to the Committee on the Lunatic Asylum and Medical Accounts.

Mr. HANNA presented the unfavorable report of the Committee on the Military and Pensions, on a Bill (from the House of Representatives) to exempt certain officers, in certain fire companies, from ordinary militia duty; and also

The unfavorable report of the same committee, on a Bill (from the House of Representatives) to repeal all Acts and clauses of Acts of the General Assembly, raising a salary for the office of Adjutant General; which were ordered for consideration to-morrow.

The Senate resumed the



## GENERAL ORDERS OF THE DAY.

The favorable report of the Committee on the Military and Pensions, on the Report of the Board of Visitors of the State Military Academies, was, on motion of Mr. CANNON, placed in the General Orders of the Day for to-morrow.

## INAUGURATION OF THE GOVERNOR.

At the hour of 1 o'clock the Senate proceeded to the Hall of the House of Representatives, to attend the inauguration of the Governor elect.

Immediately thereafter, Hon. Whitmarsh B. Seabrook, accompanied by the Committees of Arrangement of both Houses, entered the Hall.

The Governor elect, in entering upon the duties of the station assigned to him, addressed the General Assembly in an impressive and eloquent manner, on the future prospects of the State, and the duties of her citizens in the exigencies which await them.

The Speaker of the House of Representatives then administered the constitutional oath of office to the Governor elect.

The Senate then retired to the Senate Chamber, and immediately thereafter, the Speaker of the House of Representatives, accompanied by the members, and attended by the officers of the House, entered the Senate Chamber, where the President of the Senate delivered to the Governor Elect, his Commission; from thence the Governor, accompanied by the President of the Senate and Speaker of the House of Representatives, with the members of the General Assembly, repaired to the East Portico of the Capital, where the Sheriff of Richland district read the Commission, and made Proclamation of the Election of the Governor.

The Senate returned to the Senate Chamber and the President resumed the chair.

The Senate, pursuant to messages interchanged, joined the House of Representatives in balloting for Senator in the Congress of the United States, whose term will commence on the 4th day of March next. Messrs. HUGER and IRBY were appointed the committee on the part of the Senate to count the ballots.

Mr. ALLSTON presented the favorable report of the committee on the College, Education and Religion, on A Bill (from the House of Representatives,) to amend an act entitled An Act to grant the use of a vacant Lot in the Town of Columbia, to the Palmetto Lodge No 5, of the Independent Order of Odd Fellows, on certain conditions, passed 17 December, 1847. And also

The Favorable report of the same committee on the report of the committee on Education and Religion, of the House of Representatives, on the memorial of the Commissioners of Free schools of Abbeville District.— The reports were ordered for consideration to-morrow.

The Senate proceeded to the

### GENERAL ORDERS OF THE DAY.

The report of the committee on Claims and Grievances on the account of Richard Holmes for work done upon the cases for Senate records, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The following reports were concurred in and were ordered to be returned to the House of Representatives.

The report of the committee on claims on the account of W. F. Darisoe for public printing.

The report of the same committee on the account of Burt & Doby for blankets furnished the Jail of Edgefield district.

The report of the same committee on the account of O. H. Wells, for public printing.

The unfavorable report of the committee on Claims and Grievances on the report of the committee on claims of the House of Representatives on the account of Todd & Russel for public printing, was agreed to.

The following reports were concurred in and were ordered to be returned to the House of Representatives.

The report of the committee on claims of the House of Representatives on the account of Charles H. Allen for public printing. And

The report of the same committee on the account of the Camden Journal for public printing.

The unfavorable report of the committee on Roads and Buildings on the petition of citizens of St. George's Dorchester, in relation to a Road. And

The unfavorable report of the same committee, on the petition and counter petition of certain citizens of Edgefield, in relation to a road, were ordered to lie on the table.

The favorable report of the committee on the Judiciary, on a Bill to prohibit the collection of demands against Students of the South Carolina College; and

The favorable report of the same committee, on a Bill (from the House of Representatives,) to establish the allowance of days of grace, upon Bills of Exchange, at sight; and

The favorable report of the same committee, on a Bill (from the House of Representatives,) to vest the right and title of the State, in and to the estate of Elizabeth H. Kerr, deceased, in Hamilton H. Boland; were ordered to lie on the table.

The report of the committee of Claims of the House of Representatives, on the account of James Powell, for public printing; and

The report of the same committee, on the account A. Herbermont, Clerk

of the Court of Appeals, at Columbia, were concurred in, and were ordered to be returned to the House of Representatives.

The unfavorable report of the committee on Claims and Grievances, on the petition of Elly Godbold, praying payment for guarding the Jail of Marion District, was agreed to; and leave was granted to Mr. GAUSE to withdraw the petition.

The report of the committee of Ways and Means of the House of Representatives, on the report of the City Council of Charleston, as to the transient poor fund; and

The report of the same committee, on the petition of Hannah Thompson, praying for a new certificate of State 6 per cent. stock, were concurred in, and were ordered to be returned to the House of Representatives.

The favorable report of the committee on Agriculture and Internal Improvements, on the memorial of the Town Council and citizens of Hamburg, for an appropriation for improving the navigation of the Savannah River, was on motion of Mr. CANNON placed in the general orders of the day for to-morrow.

The unfavorable report of the committee on the Military and Pensions, on A Bill (from the House of Representatives,) to amend the 71st Section of An Act to reduce all Acts and clauses of Acts in relation to the Militia of this State to one Act, and to alter and amend the same, passed on the 17th day of December, Anno Domini 1841, was agreed to, and the Bill was consequently rejected.

The unfavorable report of the committee on the Lunatic Asylum and Medical Accounts on the report of the Medical committee of the House of Representatives, on the account of Dr. J. S. Mitchel, praying compensation for a post mortem examination. And

The unfavorable report of the same committee, on the account of Dr. C. Smith, praying compensation for a post mortem examination, were agreed to, and the reports of the House of Representatives were consequently rejected.

The unfavorable report of the committee on the Lunatic Asylum and Medical Accounts, on the petition of Calvin Usry, praying compensation for a post mortem examination, was agreed to.

The General Orders were suspended.

#### SPECIAL ORDER FOR 2 O'CLOCK.

At the hour of 2 o'clock the Senate proceeded to the Special Order for the day, viz: so much of the Message No. 1 of his Excellency the Governor, as relates to the Bank of the State of South Carolina; the Resolutions offered by the Senator from Abbeville, Mr. MARSHALL, and the amendment to the same, offered by the same gentlemen; the Resolutions

offered by Mr. DeTREVILLE, the Senator from St. Helena, on the same subject; the Resolutions offered by Mr. PORTER, Senator from St. Philips and St. Michaels, by Mr. MOSES, Senator from Claremont, and by Mr. BLACK, Senator from Richland, on the same subject; and a Bill to provide for an examination of the administration and condition of the Bank of the State of South Carolina and its Branches.

Pursuant to an order previously made, the Senate resolved itself into a Committee of the Whole.

Mr. WITHERSPOON, the Senator from York, was called to the chair, and after some time spent therein, the Committee rose, the President resumed the Chair, and the Senate proceeded to business.

Mr. WITHERSPOON reported that the committee had had the several matters committed to them under consideration, had made progress, and asked leave to sit again to-morrow, at 1 o'clock, and the same was ordered.

The Committee on the Judiciary was discharged from the further consideration of a Bill (from the House of Representatives) authorizing a special election for tax collector, by the people of Laurens; and the bill was ordered to lie on the table.

Mr. IRBY, from the committee appointed, on the part of the Senate, to count the ballots for Senator in the United States Congress, reported that the Hon. A. P. Butler had received a majority of votes, and was, therefore, duly elected Senator for the term commencing on the 4th of March next.

The Senate resumed the

#### GENERAL ORDERS OF THE DAY.

A Preamble and Resolutions offered yesterday, by Mr. GIST, providing for a report by the President of the Bank of the State, in relation to the sale of the Nesbit Iron Manufacturing Works, was agreed to by the Senate.

The General Orders having been disposed of, the Senate, on motion of Mr. ASHE, adjourned, at 7 minutes past 4 o'clock, P. M.

FRIDAY, DECEMBER 15, 1848.

The Senate met at 10 o'clock.

The Clerk read the journal of the proceedings of yesterday.

The House of Representatives returned to the Senate the following report, in which it had concurred.

The report of the committee on Claims and Grievances, on the account of Wm. J. Francis, proprietor of the Sumter Banner, for public printing.

The House of Representatives sent to the Senate for concurrence

The report of the committee on Claims of the House of Representatives, on the petition of A. G. Sumner, for balance due him for public printing for the last General Assembly, and unprovided for by the Act of 1847; which was referred to the committee on Claims and Grievances.

The House of Representatives sent to the Senate

"A Bill to amend the law in relation to the education of the deaf, dumb and blind of the State;" which had received 2 readings in the House of Representatives. The Bill received the first reading in the Senate, and was referred to the committee on the College, Education and Religion.—Also,

A Bill to raise supplies for the year commencing in October, one thousand eight hundred and forty-eight; which had received 2 readings in the House of Representatives. The Bill received the first reading in the Senate, and was referred to the committee on Finance and Banks. Also,

A Bill to authorize the United States to purchase a sufficient quantity of land in this State, for the erection of a Custom House, and for other purposes; which had received 2 readings in the House of Representatives. The Bill received the first reading in the Senate, and was referred to the committee on Federal Relations. Also,

A Bill directing a census to be taken of the free white inhabitants of this State; which had received 2 readings in the House of Representatives. The Bill received the first reading in the Senate, and was referred to the committee on Privileges and Elections.

On motion of Mr. HANNA, it was ordered that a message be sent to the House of Representatives, asking that the committee on the Military and Pensions of the Senate, and the committee on the Military of that House, may be allowed to sit as a joint committee of the two Houses, on so much of the Governor's Message No. 3 as has been referred to said committee.

The House of Representatives sent to the Senate

A Bill to authorize and empower the commissioners of Free Schools of the Parishes of St. Philip and St. Michael, to raise a fund for the building of Free School houses, and for other purposes; which had received three readings in the House of Representatives, and two readings in the Senate. The Bill received the third reading in the Senate, and it was resolved that the Bill do pass—that the title thereof be changed; that it be called an Act, and be returned to the House of Representatives.

The House of Representatives also returned to the Senate

A Bill to aid in the construction of the Wilmington and Manchester Rail Road; which had received two readings in the Senate, and two readings in the House of Representatives. The Bill received the third reading in the Senate, and it was resolved that the Bill do pass—that the title thereof be changed; that it be called “an Act,” and ordered to be sent to the House of Representatives.

The Senate proceeded to the

### GENERAL ORDERS OF THE DAY.

The report of the committee on Roads and Buildings, on the Memorial of the commissioners of Public Buildings, and presentment of the Grand Jury of Newberry district, which report recommends an appropriation of eight thousand dollars for a new Court House for Newberry district; was agreed to, and was ordered to be sent to the House of Representatives.

The report of the committee on Education of the House of Representatives, on the Memorial of the commissioners of Free Schools, for Abbeville district, recommending the payment of \$1500 to the said commissioners; was concurred in, and returned to the House of Representatives.

A Bill to amend an Act entitled an Act to grant the use of a vacant lot in the town of Columbia, to the Palmetto Lodge No. 5, of the Independent Order of Odd Fellows, on certain conditions, passed 17th December, 1847, received the second reading, was agreed to, and was ordered to be returned to the House of Representatives.

The report of the Committee on the Military and Pensions on the report of the Board of Visitors of the State Military Academies, recommending an appropriation of \$15,000, for a new roof and an additional story to the Arsenal, at Charleston, to be expended under the direction of the Governor, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The unfavorable report of the Committee on the Military and Pensions on a Bill (from the House of Representatives) to repeal all Acts and clauses of Acts of the General Assembly, raising a salary for the office of Adju-

tant General, was, on motion of Mr. BARNES, ordered to lie on the table, and the Bill was ordered for a second reading.

Mr. MOSES moved that the further consideration of the Bill be postponed to the first day of January next, which question was ordered to be taken by yeas and nays, and they are as follows. Those who voted in the affirmative are—

Those who voted in the affirmative are—

Messrs. R. F. W. Allston,

B. G. Allston,

Ashe,

Buchanan,

DeTreville,

Goodwyn,

Grimball,

Hanna,

Hibben,

Huger,

Manning.

Messrs. Mazyck,

Moses,

P. P. Palmer,

Perry,

Porter,

Taylor,

Walker,

Ward,

Ware,

Izaac D. Wilson.

Those who voted in the negative are—

The Hon. ANGUS PATTERSON,

Messrs. Appleby,

Barnes,

Caldwell,

Cannon,

Cooper,

Eaves,

Evins,

Felder,

Gause,

Gist,

Messrs. Griffin,

Irby,

Johnson,

Marshall

J. S. Palmer,

Quattlebaum,

Skipper,

Williams,

John Wilson,

Witherspoon,

Ayes, 21—Nays, 21.

The motion to postpone to the 1st of January was, therefore, lost.

On the question of agreeing to the Bill the ayes and nays were again ordered to be taken, and they are as follows.

Those who voted in the affirmative are—

The Hon. ANGUS PATTERSON.

Messrs. Appleby,

Barnes.

Caldwell,

Cannon,

Cooper,

Eaves,

Evins.

Messrs. Johnson,

Marshall,

Mazyck,

P. P. Palmer,

John S. Palmer,

Quattlebaum,

Skipper,

Felder,  
Gause,  
Gist,  
Griffin,  
Irby,

Ware,  
Williams,  
John Wilson,  
Witherspoon,

Those who voted in the negative are—

Messrs. R. F. W. Allston,  
B. G. Allston,  
Ashe,  
Buchanan,  
DeTreville,  
Goodwyn,  
Grimball,  
Hanna,  
Messrs. Hibben,

Huger,  
Manning,  
Moses,  
Perry,  
Porter,  
Taylor,  
Walker,  
Ward,  
Izaac D. Wilson.

Yeas, 24—Nays, 18.

The Bill was, therefore, agreed to, and was ordered to be returned to the House of Representatives.

The unfavorable report of the committee on the Military and Pensions, on

A Bill to exempt certain Fire Companies from ordinary militia duty, was agreed to, and the bill was consequently rejected.

The unfavorable report of the committee on Agriculture and Internal Improvements, on the memorial of the Town Council of Hamburg, and citizens thereof, recommending an appropriation for the improvement of the navigation of the Savannah river, was, on motion of Mr. TAYLOR, ordered to lie on the table.

The report of the Joint Committee on Federal Relations of the House of Representatives, on the Governor's Message No. 1, and sundry resolutions in relation to slavery, was unanimously concurred in, and was ordered to be returned to the House of Representatives. The report and resolutions are as follows:

The Joint Committee of the Senate and House of Representatives, to whom was referred so much of the Governor's Message, as relates to the agitation of the slavery question, together with sundry resolutions, upon the same subject, beg leave to report the following resolution as expressing the undivided opinion of this Legislature upon the Wilmot Proviso, and all similar violations of the great principle of equality, which South Carolina so long and so ardently maintained, should govern the action of the States, and laws of Congress, upon all matters affecting the rights and interests of any member of this Union.

*Resolved*, That the time for further discussion by the slave-holding States as to their exclusion from the territory recently acquired from Mexico, has



passed ; and that this General Assembly, representing the feelings of the people of the State of South Carolina, is prepared to co-operate with her sister States in resisting the application of the principles of the Wilmot Proviso to such territory, at any and every hazard.

The report of the same committee on the part of the Senate, was, on motion of Mr. MANNING, ordered to lie on the table.

Mr. MANNING called up from the table,

A Bill to amend An Act entitled An Act more effectually to prevent Free negroes and other persons of color from entering into this State, and for other purposes, passed the 19th day of December, in the year of our Lord, 1835, and the Bill received the second reading, was agreed to, and was ordered to be returned to the House of Representatives.

The following message was received from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES. }  
December 15, 1848. }

*Mr. President and Gentlemen of the Senate:*

This House concurs with Senate in its message, proposing to this House the appointment of a Special Committee, to meet a similar committee of the Senate, on so much of the message of his Excellency the Governor, as refers to military affairs, and has appointed the committee on the Military, of this House, consisting of Messrs. ADAMS, WM. EVANS, PICKENS, WHALEY, W. D. DESAUSSURE, HEYWARD, RUTH, J. T. OWENS and CANTEY, to meet the committee of the Senate on that subject.

By order of the House.

JOHN IZARD MIDDLETON, Speaker.

Mr. PORTER presented the report of the Vestry of the Parish church of St. James, Goose Creek, respecting the Ludlam school fund ; which was referred to the committee on the College, Education and Religion.

Mr. TAYLOR presented the unfavorable report of the committee on Agriculture and Internal Improvements, on a Bill (from the House of Representatives,) to declare Poke swamp in St. George's Parish a navigable stream ; which was ordered for consideration to-morrow.

Mr. PORTER presented the favorable report of the Special Committee, to which had been referred a memorial from sundry citizens of Charleston, asking the appointment of a standing committee of the Senate, whose duty it shall be to take charge of matters connected with commerce, manufactures, and the mechanic arts ; which was ordered for consideration to-morrow.

Mr. MOSES presented the report of the committee on the Judiciary, on so much of the message of his Excellency the Governor, as relates to the

compilation of the laws of magistrates and constables. The report was ordered for consideration to-morrow, and to be printed.

Mr. PORTER presented the favorable report of the committee on the Lunatic Asylum and Medical Accounts, on the account of Dr. Henry Boylston, praying payment for Medical services rendered to the Palmetto Regiment, whilst in camp, at the rendezvous in Charleston; which was ordered for consideration to-morrow.

#### SPECIAL ORDER FOR 1 O'CLOCK.

At the hour of 1 o'clock the Senate proceeded to the Special Order for the day, viz: so much of the Message No. 1 of his Excellency the Governor, as relates to the Bank of the State of South Carolina; the Resolutions offered by the Senator from Abbeville, Mr. MARSHALL, and the amendment to the same, offered by the same gentleman; the Resolutions offered by Mr. DeTREVILLE, the Senator from St. Helena, on the same subject; the Resolutions offered by Mr. PORTER, Senator from St. Philips and St. Michaels; by Mr. MOSES, Senator from Claremont, and by Mr. BLACK, Senator from Richland, on the same subject; and a Bill to provide for an examination of the administration and condition of the Bank of the State of South Carolina and its Branches.

Pursuant to an order previously made, the Senate resolved itself into a Committee of the Whole.

Mr. WITHERSPOON, the Senator from York, was called to the chair, and after some time spent therein, the Committee rose, the President resumed the chair, and the Senate proceeded to business.

Mr. WITHERSPOON reported that the committee had had the several matters committed to them under consideration, had made progress, and asked leave to be discharged from the further consideration of the several subjects referred to them, and the committee was discharged accordingly.

On motion of Mr. BLACK, the Senate adjourned, at 25 minutes past four o'clock, P. M.

SATURDAY, DECEMBER 16, 1848.

The Senate met at 10 o'clock.

The Clerk read the journal of the proceedings of yesterday.

The Senate granted leave of absence to Mr. HUGER, Senator from St. Thomas and St. Dennis, on and after Monday next; and to Mr. WALKER, Senator from St. Bartholemew's Parish, on and after Tuesday next.

Mr. GRIFFIN presented the favorable report of the committee on the Judiciary and Engrossed Acts, on a Bill (from the House of Representatives) to increase the powers of the Town Council of Columbia; and

The favorable report of the same committee, on a Bill to incorporate the Keowee Turnpike Company. The reports were placed in the general orders for this day.

Mr. MAZYCK presented the petition of sundry witnesses in the contested election from St. James Goose Creek, praying to be allowed their expenses for their attendance.

Mr. CANNON offered the following resolution, which was agreed to:

*Resolved*, That the committee on Privileges and Elections be instructed to inquire into and report, as to the practicability of requiring the managers of election, in the several Districts and Parishes, in all cases of contested election, to hear and determine the same; or whether any mode can be devised which will be better than the present of determining contested elections in this body.

On motion of Mr. MARSHALL, the several propositions relative to the Bank of the State of South Carolina, from the consideration of which the committee of the whole had been discharged yesterday, was made the special order for this day at 12 o'clock.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

The unfavorable report of the committee on Agriculture and Internal Improvements, on a Bill (from the House of Representatives) to declare Poke Swamp, in St. George's Parish, a navigable stream, was agreed to, and the Bill was consequently rejected.

The favorable report of the special committee, on the memorial of sundry citizens of Charleston, praying for the appointment of a standing committee of the Senate, to which shall be referred all matters connected with commerce, manufactures, and the mechanic arts, was agreed to. The committee recommended the adoption of the following resolution:

*Resolved*, That a standing committee be established in the Senate, which shall be entitled "the committee on Commerce, Manufactures, and the Mechanic Arts."

The favorable report of the committee on the Lunatic Asylum and Medical Accounts, on the account of Dr. Henry Boylston, praying payment for medical services rendered to the Palmetto Regiment, whilst in camp at the rendezvous in Charleston, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The general orders were suspended.

The committee on the College, Education and Religion, was discharged from the further consideration of the petition of the Chaplain and Students of the South Carolina College, asking an appropriation for building a new Chapel; and the petition was ordered to lie on the table.

Mr. R. F. W. ALLSTON presented the favorable report of the committee on the College, Education and Religion, on the report of the committee on Education of the House of Representatives, on the petition of the commissioners of Free Schools of St. George's Dorchester; which was ordered for consideration on Monday next.

Mr. R. F. W. ALLSTON presented the favorable report of the committee on the College, Education and Religion, on a Bill to amend the law in relation to the Education of the Deaf, Dumb and Blind children of this State. The report was placed in the General Orders of this day.

Mr. PORTER presented the petition of the City Council of Charleston, praying to be refunded two hundred dollars, proclamation money, paid out of the City Treasury, for the apprehension of Jose Ponce, charged with murder; which was referred to the committee on Claims and Grievances.

A Bill to connect by Rail Road the South Carolina Rail Road with the waters of Charleston harbor, was called up, and was again ordered to lie on the table.

A Bill (from the House of Representatives,) to vest the right and title of the State, in and to the estate of Elizabeth H. Kerr, dec'd., in Hamilton F. Boland, which Bill had received two readings in the House of Representatives, and one reading in the Senate, was called up from the table; the Bill received the second reading in the Senate, was agreed to, and was ordered to be returned to the House of Representatives.

A Bill to prohibit the collection of demands against Students of the South Carolina College, was called from the table; the bill received the second reading, was agreed to, and was ordered to be sent to the House of Representatives.

Mr. MANNING presented the favorable report of the committee on Federal Relations, on "a Bill to authorize the United States to purchase a

sufficient quantity of land in this State for the erection of a Custom House, and for other purposes ;" which bill had received two readings in the House of Representatives ; the report being ordered for immediate consideration, the Bill received the second reading in the Senate, was agreed to, and was ordered to be returned to the House of Representatives.

Mr. MOSES presented the favorable report of the committee on the Judiciary, on the petition of A. E. Miller, praying aid in the publication of a Digest of the Rules of the Courts, &c. ; which was ordered for consideration on Monday next.

Mr. MOSES presented the favorable report of the same committee, on "a Bill to alter the sittings of the Courts of Equity in the third Circuit, and to establish a Court of Equity in Marlborough District ;" the report being ordered for immediate consideration, the bill received the second reading in the Senate, was agreed to, and was ordered to be returned to the House of Representatives.

Mr. MOSES also presented the favorable report of the same committee, on so much of the Message of Governor Johnson, as relates to the Digest of the Negro Laws of South Carolina, which was ordered for consideration on Monday next.

Mr. WILLIAMS presented the account of the Clerk of the Senate, for Stationary and for Binding of Senate Journals ; which was referred to the committee on Claims and Grievances.

Mr. B. G. ALLSTON presented the petition of Nicholas Langford, Special Messenger, praying compensation for summoning witnesses in the matter of the contested election from St. Luke's Parish ; which was referred to the same committee.

Mr. MAZYCK presented the petition of sundry persons, praying compensation for attending as witnesses in the contested election for Senator from St. Luke's Parish ; which was referred to the same committee ; also,

The petition of W. J. Reynolds, praying compensation for summoning witnesses in the contested election for Senator from St. Luke's Parish ; which was referred to the same committee.

Mr. BUCHANAN presented the favorable reports of the committee on Finance and Banks, on a Bill (from the House of Representatives,) to raise supplies for the year commencing in October one thousand eight hundred and forty-eight ; and on

A Bill (from the House of Representatives) to provide for funding the debt of the South Carolina Rail Road Company to the State ; which were placed in the general orders for this day.

Mr. BLACK presented to report of the committee on Accounts and Vacant Offices, on the report of the Comptroller General, on the contingent accounts against the Lower Division of the Treasury, which was ordered for consideration on Monday next.

**Mr. R. F. W. ALLSTON** presented the report of the committee on the College, Education and Religion, on the returns of the several Boards of Commissioners of Free Schools, which was ordered for consideration on Monday next.

**SPECIAL ORDER FOR 12 O'CLOCK.**

Pursuant to an order previously made, at the hour of 12 o'clock the Senate proceeded to the special order for the day, viz: So much of the Message No 1. of his Excellency the Governor, as relates to the Bank of the State of South Carolina; the Resolutions offered by the Senator from Abbeville, **Mr. MARSHALL**, and the amendment to the same, offered by the same gentleman; the Resolutions offered by **Mr. D  TREVILLE**, the Senator from St. Helena, on the same subject; the Resolutions offered by **Mr. PORTER**, Senator from St. Philips and St. Michaels; by **Mr. MOSES**, Senator from Claremont, and by **Mr. BLACK**, Senator from Richland, on the same subject; and a Bill to provide for an examination of the administration and condition of the Bank of the State of South Carolina and its Branches.

**Mr. R. F. W. ALLSTON** moved to postpone indefinitely all the subjects embraced in the special order, which question was ordered to be taken by yeas and nays, and they are as follows:

Those who voted in the affirmative are—

**The Hon. ANGUS PATTERSON.**

**Messrs. R. F. W. Allston,**

Ashe,  
Buchanan,  
Ellerbe,  
Gause,  
Goodwyn,  
Hanna,  
Irby,  
' Moses,

**Messrs. P. P. Palmer,**

Perry,  
Skipper,  
Taylor,  
Walker,  
Ward,  
Ware,  
Isaac D. Wilson.

Those who voted in the negative, are

**Messrs. B. G. Allston,**

Appleby,  
Barnes,  
Black,  
Bull,  
Caldwell,  
Cannon,  
Cooper,  
DeTreville,

**Messrs. Griffin,**

Grimball,  
Hibben,  
Huger,  
Johnson,  
Manning,  
Marshall,  
Mazyck,  
John S. Palmer,

Eaves,  
Evins,  
Felder,  
Gist,

Porter,  
Quattlebaum,  
Williams,  
Witherspoon.

Yeas, 18—Nays, 26.

The motion to postpone, was therefore lost.

The resolutions offered by Mr. MARSHALL, Senator from Abbeville, and the amendment offered by the same gentleman, were then before the Senate for consideration, whereupon Mr. Black moved that all the resolutions and the amendment to them be postponed to the first day of January next, which question was ordered to be decided by yeas and nays, and they are as follows.

Those who voted in the affirmative, are

Hon. ANGUS PATTERSON, President.

Messrs. R. F. W. Allston,

Ashe,  
Black,  
Buchanan,  
Caldwell,  
Ellerbe,  
Gause,  
Goodwyn,  
Hanna,  
Irby,

Messrs. Manning,

Moses,  
Perry,  
Porter,  
Skipper,  
Taylor,  
Walker,  
Ward,  
Ware,  
Isaac D. Wilson.

Those who voted in the negative, are

Messrs. B. G. Allston,

Appleby,  
Barnes,  
Bull,  
Cannon,  
Cooper,  
DeTreville,  
Eaves,  
Evins,  
Felder,  
Gist,  
Griffin,

Messrs. Grimbail,

Hibben,  
Huger,  
Johnson,  
Marshall,  
Mazyck,  
P. P. Palmer,  
John S. Palmer,  
Quattlebaum,  
Williams,  
Witherspoon.

Ayes, 21—Nays, 23.

The motion to postpone, was therefore lost.

The question was then taken upon agreeing to the first resolution offered by Mr. Marshall, which is as follows:

*Resolved*, That it is ~~unwise and inexpedient~~, for a State to engage in Banking, or to subject its resources to the casualties of Banking operations.

This question was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

|                                  |                  |
|----------------------------------|------------------|
| Hon. ANGUS PATTERSON, President, |                  |
| Messrs. R. F. W. Allston,        | Messrs. Johnson, |
| B. G. Allston,                   | Manning,         |
| Appleby,                         | Marshall,        |
| Ashe,                            | Mazyck,          |
| Barnes,                          | Moses,           |
| Bull,                            | P. P. Palmer,    |
| Cannon,                          | John S. Palmer,  |
| Cooper,                          | Perry,           |
| DeTreville,                      | Porter,          |
| Eaves,                           | Quattlebaum,     |
| Ellerbe,                         | Skipper,         |
| Evins,                           | Ward,            |
| Felder,                          | Ware,            |
| Gist,                            | Williams,        |
| Griffin,                         | Isaac D. Wilson, |
| Grimball,                        | Witherspoon.     |
| Hibben,                          |                  |

Those who voted in the negative, are

|                |                |
|----------------|----------------|
| Messrs. Black, | Messrs. Hanna, |
| Buchanan,      | Irby,          |
| Caldwell,      | Taylor,        |
| Gause,         | Walker.        |
| Goodwyn,       |                |

Ayes, 34—Nays, 9.

The resolution was therefore agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The question was then ordered to be taken on the 2nd resolution, which is as follows:

*Resolved*, That the Bank of the State is founded on this erroneous policy, and exposes the public Treasury and the public faith, to the hazards incident to Banks.

This question was also ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative are—



## Hon. ANGUS PATTERSON,

Messrs. R. F. W. Allston,

B. G. Allston,

Appleby,

Ashe,

Barnes,

Bull,

Cannon,

Cooper,

DeTreville,

Eaves,

Evins,

Felder,

Gist,

Griffin,

Messrs. Grimball,

Hibben,

Johnson,

Manning,

Marshall,

Mazyok,

P. P. Palmer,

John S. Palmer,

Porter,

Quattlebaum,

Ward,

Ware,

Williams,

Izaac D. Wilson,

Witherspoon.

Those who voted in the negative are—

Messrs. Black,

Buchanan,

Caldwell,

Ellerbe,

Gause,

Goodwyn,

Hanna.

Messrs. Irby,

Moses,

Perry,

Skipper,

Taylor,

Walker.

Ayes 30—Nays 13.

The resolution was therefore agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The third resolution was then amended, on motion of Mr. GRIFFIN, by striking out all after the word "State," and inserting the words "*as a money lending institution*," so that the resolution, as amended, reads as follows:

*Resolved*, That it is inexpedient to re-charter the Bank of the State as a money lending institution.

To this resolution, as amended, Mr. PORTER offered the following addition, by way of amendment:—"unless the debts and bonds for which the capital or profits of the Bank stand pledged, shall have been first paid, or the consent of the holders thereof first obtained."

Mr. GRIFFIN moved to lay the amendment offered by Mr. PORTER on the table—which question was ordered to be taken by yeas and nays, and they are as follows:

Those who voted in the affirmative are—

The Hon. ANGUS PATTERSON,

Messrs. B. G. Allston,

Appleby,

Barnes,

Bull,

Caanon,

Cooper,

DeTreville,

Eaves,

Evins,

Felder,

Gist,

Griffin,

Messrs. Grimbball,

Hibben,

Huger,

Johnson,

Marshall

Mazyok,

P. P. Palmer,

J. S. Palmer,

Quattlebaum,

Ward,

Williams,

Witherspoon.

Those who voted in the negative, are,

Messrs. R. F. W. Allston,

Ashe,

Black,

Buchanan,

Caldwell,

Ellerbe,

Gause,

Goodwyn,

Hanna,

Irby,

Messrs. Manning.

Moses,

Perry,

Porter,

Skipper,

Taylor,

Walker,

Ware,

Isaac D. Wilson.

Yeas—25, Nays—19.

The amendment was therefore ordered to lie on the table.

Mr. BUCHANAN moved that the further consideration of the third resolution be postponed to the first day of January next, which question was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative are—

Messrs. R. F. W. Allston,

Ashe,

Black,

Buchanan,

Ellerbe,

Gause,

Goodwyn,

Hanna,

Irby,

Messrs. Manning,

Moses,

Perry,

Porter,

Skipper,

Taylor,

Walker,

Ware,

Isaac D. Wilson.

Those who voted in the negative, are

Hon. ANGUS PATTERSON, President,

Messrs. B. G. Allston,

Appleby,

Barnes,

Messrs. Grimbball,

Hibben,

Huger,

Bull,  
Caldwell,  
Cannon,  
Cooper,  
DeTreville,  
Eaves,  
Evins,  
Felder,  
Gist,  
Griffin,

Johnson,  
Marshall,  
Mazyck,  
P. P. Palmer,  
John S. Palmer,  
Quattlebaum,  
Ward,  
Williams,  
Witherspoon.

Yeas, 18—Nays, 26.

The motion to postpone was therefore lost.

The question recurred on the adoption of the third resolution, as amended upon the motion of Mr. GRIFFIN, above recorded—which question was ordered to be decided by yeas and nays, and they are as follows :

Those who voted in the affirmative, are

Hon. ANGUS PATTERSON, President,

Messrs: R. F. W. Allston,  
B. G. Allston,  
Appleby,  
Barnes,  
Bull,  
Caldwell,  
Cannon,  
Cooper,  
DeTreville,  
Eaves,  
Ellerbe,  
Evins,  
Felder,  
Gist,

Messrs. Griffin,  
Grimball,  
Hibben,  
Huger,  
Johnson,  
Marshall,  
Mazyck,  
P. P. Palmer,  
John S. Palmer,  
Quattlebaum,  
Ward,  
Ware,  
Williams,  
Witherspoon.

Those who voted in the negative, are

Messrs Ashe,  
Black,  
Buchanan,  
Gause,  
Goodwyn,  
Hanna,  
Irby,  
Manning,

Messrs. Moses,  
Perry,  
Porter,  
Skipper,  
Taylor,  
Walker,  
I. D. Wilson.

Yeas, 29—Nays, 15.

The resolution as amended was therefore agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The fourth resolution, offered by Mr. MARSHALL, was then ordered to lie on the table.

The resolution is as follows:

*Resolved*, That a special Committee of each House be appointed, to devise and report at the next Session the proper measures for carrying into effect the last resolution.

The question then came up upon the following amendment, offered by Mr. MARSHALL: Strike out in the third resolution all after the Bank of the State, and substitute the following resolution:

*Resolved*, That measures ought now to be taken for gradually calling in the borrowed capital of the Bank, without increasing its other liabilities, and for applying the same to the discharge or security of the public debt.

Mr. MAZYCK offered the following amendment to this resolution:

*Resolved*, That the business of the Bank, during the remaining term of of its charter, ought to be regulated and conducted with a view to the final adjustment of its affairs, and that the Bank, in collecting the debts due to it, should extend such indulgence, looking always to the ultimate security of the debts, as may be found consistent with realizing the means necessary for redeeming the circulation and discharging the other immediate liabilities of the Bank, and paying the public debt.

On the question of agreeing to this amendment, the yeas and nays were ordered to be taken, and they were as follows:

Those who voted in the affirmative are—

|                        |                 |
|------------------------|-----------------|
| Messrs. B. G. Allston, | Hibben,         |
| Bull,                  | Huger,          |
| DeTreville,            | Johnson,        |
| Eaves,                 | Marshall,       |
| Evins,                 | Mazyck,         |
| Felder,                | P. P. Palmer.   |
| Gist,                  | John S. Palmer, |
| Griffin,               | Quattlebaum,    |
| Grimball,              | Williams.       |

Those who voted in the negative are—

|                           |                |
|---------------------------|----------------|
| The Hon. ANGUS PATTERSON, |                |
| Messrs. R. F. W. Allston, | Messrs. Hanna, |
| Appleby,                  | Irby,          |
| Ashe,                     | Manning,       |
| Barnes,                   | Moses,         |
| Black,                    | Perry,         |
| Buchanan,                 | Porter,        |

Caldwell,  
Cannon,  
Cooper,  
Ellerbe,  
Gause,  
Goodwyn,

Skipper,  
Taylor,  
Walker,  
Ward,  
Ware,  
Isaac D. Wilson,  
Witherspoon.

## YEAS 18—NAYS 26.

The amendment was therefore not agreed to.

Mr. CANNON moved that Mr. MARSHALL'S amendment to the fourth resolution be laid on the table, and on the question of agreeing, the yeas and nays were ordered to be taken, and they are as follows.

Those who voted in the affirmative, are

Hon. ANGUS PATTERSON, President.

Messrs. R. F. W. Allston,

Appleby,  
Ashe,  
Barnes,  
Black,  
Buchanan,  
Caldwell,  
Cannon,  
Cooper,  
Ellerbe,  
Gause,  
Goodwyn,  
Hanna,

Messrs. Irby,

Manning,  
Moses,  
Perry,  
Porter,  
Skipper,  
Taylor,  
Walker,  
Ward,  
Ware,  
Isaac D. Wilson,  
Witherspoon.

Those who voted in the negative, are

Messrs. B. G. Allston,

Bull,  
DeTreville,  
Eaves,  
Evins,  
Felder,  
Gist,  
Griffin,  
Grimball,

Messrs. Hibben,

Huger,  
Johnson,  
Marshall,  
Mazyck,  
P. P. Palmer,  
John S. Palmer,  
Quattlebaum,  
Williams.

## Ayes, 26—Nays, 18.

The amendment of Mr. MARSHALL was therefore ordered to lie on the table.

On motion of Mr. QUATTLEBAUM all the other resolutions and subjects embraced in the special order above enumerated, referring to the Bank of the State, were ordered to lie on the table.

Mr. MAZYCK presented the favorable report of the committee on Privileges and Elections, to whom was referred "A Bill, (from the House of Representatives,) directing a census to be taken of the free white inhabitants of this State," recommending the passage of the bill without amendment.—The report was ordered for consideration on Monday next.

On motion of Mr. DeTREVILLE, a message was sent to the House of Representatives, proposing to that House to go forthwith into an election for President and Directors of the Bank of the State of South Carolina.

The House of Representatives sent to the Senate,

A Bill to establish certain roads, bridges, and Ferries, which had received two readings in the House of Representatives. The bill received the first reading in the Senate, and was referred to the committee on Roads and Buildings.

The unfavorable report of the committee on the Judiciary, on the petition of 615 citizens, residents of Edgefield, Barnwell and Orangeburg Districts, praying the formation of a new Judicial District, was called up from the table and was agreed to.

The unfavorable report of the committee on the Judiciary, on "A Bill to increase the number of magistrates for Marion District," was called up from the table, was agreed to, and the bill was consequently rejected.

The unfavorable report of the same committee, on "A Bill to alter and amend the law in relation to magistrate's executions," was called up and agreed to, and the bill was consequently rejected.

A Bill to amend the 10th section of the 1st article of the constitution of this State, was also called up, and, on motion of Mr. DeTREVILLE, it was ordered to lie on the table.

The report of the Special Committee, on the report of the Clerk of the Senate in relation to the records in his office, was called up and agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The unfavorable report of the committee on the Judiciary, on "A Bill to alter and amend an Act, entitled An Act to regulate the fees of the officers of the Courts of Law and Equity in this State, and for other purposes therein mentioned, passed the 19th December, 1827," was called up, and, on motion of Mr. MARSHALL, it was ordered to lie on the table.

A Bill to establish the allowance of days of grace upon Bills of Exchange at sight, which had received two readings in the House of Representatives, was called up from the table. The Bill received the 2d reading in the Senate, and was ordered to be returned to the House of Representatives.

The Senate proceeded to the

## GENERAL ORDERS OF THE DAY.

A Bill to incorporate the Keowee Turnpike Company, which had received two readings in the House of Representatives, received the 2d reading in the Senate, was agreed to, and was ordered to be returned to the House of Representatives.

A Bill to increase the powers of the Town Council of Columbia, which had received two readings in the House of Representatives, and one reading in the Senate, received the 2d reading in the Senate, was agreed to, and was ordered to be sent to the House of Representatives.

Mr. BLACK gave notice, that on the 3d reading, he would offer the following amendments, viz :

In the 3d line, insert "on and after the first day of May next," after the word "be;" and to strike out "and are hereby," in the same line—and also in the following clauses, where it may be necessary, the same words.

A Bill to provide for funding the debt of the South Carolina Rail Road Company to the State. Also,

A Bill to raise supplies for the year commencing in October, one thousand eight hundred and forty-eight, which severally had received two readings in the House of Representatives and one reading in the Senate, received the 2d reading in the Senate, were agreed to, and were ordered to be returned to the House of Representatives.

The report of the committee of Ways and Means of the House of Representatives, on so much of the Comptroller's Report as relates to the debts of the South Carolina Rail Road Company, was ordered to lie on the table.

A Bill to amend the law in relation to the Education of the deaf, dumb and blind children of this State, which had received two readings in the House of Representatives and one reading in the Senate, received the 2d reading in the Senate, was agreed to, and was ordered to be returned to the House of Representatives.

On motion of Mr. BUCHANAN, it was ordered that at the hour of 4 o'clock, the Senate will recede from business till 7 o'clock, P. M.

The House of Representatives sent to the Senate for concurrence

The reports of the committee on claims of that House, on the account of Edward Sill, for public printing.

On sundry accounts of A. G. Summer, Editor of the South Carolinian, for public printing.

On the petition of B. K. Henegan, Secretary of State.

On the account of Thomas J. Gantt, clerk of the Court of Appeals for Charleston.

On the account of A. S. Willington & Co. for public printing.

On the account of the South Carolina Temperance Advocate.

On sundry accounts of the Charleston Mercury for public printing.

On the petition of N. G. W. Walker, praying payment for blankets furnished the jail of Barnwell.

On the account of Lewis L. Shelton, for board of sick volunteers of Palmetto Regiment.

On the account of A. S. Johnston for Books furnished the State, and for balance due him as printer of the Senate.

On the account of Allen, McCarter & Co.

On the memorial of R. Q. Pinckney, praying to be allowed to finish indexing the records in the office of Secretary of State, or to be paid for the work which he has done.

On the account of Johnston and Summer for printing, indexing and arranging a compilation of all the Acts Resolutions and reports relating to the Bank of the State; all of which were referred to the committee on Claims and Grievances; also

The report of the committee on district offices and officers, on that part of the Governor's Message No. 3, in relation to the compilation of the laws of Magistrates by B. C. Presley, Esq., and the bill of Walker and Burke for printing and binding the same, which was referred to the committee on the Judiciary.

The House of Representatives returned to the Senate, the following report, in which it had concurred.

The report of the committee on Claims and Grievances, on the petition of F. J. Sessions, administrator of J. T. Sessions, late Sheriff of Horry District, for blankets furnished the jail.

The House of Representatives sent to the Senate, a Bill to repeal all Acts and clauses of Acts of the General Assembly, raising a salary for the office of Adjutant General, which Bill, on the second reading in the Senate, had been amended, by striking out fifteen hundred dollars, the salary for Adjutant General, and inserting two thousand dollars; on the third reading of the Bill in the House of Representatives, the original words, fifteen hundred dollars, had been restored by striking out the Senate amendment; the bill being on the third reading in the Senate, Mr. DETREVILLE moved that the further consideration of the Bill be postponed to the 1st of January next, which question was ordered to be decided by Yeas and Nays, and they are as follows:

Those who voted in the affirmative, are

Messrs. R. F. W. Allston,  
B. G. Allston,  
Ashe,

Messrs. Manning,  
Mazyck,  
Moses,



Black,  
Bull,  
Buchanan,  
DeTreville,  
Goodwyn,  
Grimball,  
Hanna,  
Huger,

P. P. Palmer,  
Perry,  
Porter,  
Skipper,  
Taylor,  
Walker,  
Ward.  
Isaac D. Wilson.

Those who voted in the negative, are

|                                  |                  |
|----------------------------------|------------------|
| Hon. ANGUS PATTERSON, President, |                  |
| Messrs. Appleby,                 | Messrs. Griffin, |
| Barnes,                          | Hibben,          |
| Caldwell,                        | Irby,            |
| Cannon,                          | Marshall,        |
| Cooper,                          | John S. Palmer,  |
| Eaves,                           | Quattlebaum,     |
| Evins,                           | Ware,            |
| Felder,                          | Williams,        |
| Gause,                           | Witherspoon.     |

Ayes 22—Nays 19.

The motion to postpone, was therefore carried.

Mr. JOHNSON, who was absent when the vote was taken, was permitted by the Senate to record the vote he would have given, if he had been present, and upon his name being called, the Senator voted in the negative, against the postponement.

The House of Representatives also sent to the Senate, "a Bill to amend an Act, entitled an Act to grant the use of a vacant lot in the Town of Columbia to the Palmetto Lodge No. 5, of the Independent Order of Odd Fellows, on certain conditions, passed 17th Decr. 1847;" and

A Bill to amend an Act, entitled an Act more effectually to prevent Free Negroes and other persons of color, from entering into this State, and for other purposes, passed the 19th day of December, in the year of our Lord 1835; which had received three readings in the House of Representatives, and two readings in the Senate; the Bills each received a third reading in the Senate, and it was resolved that the Bills do pass, that the titles thereof be changed, that they be called "Acts," and they were ordered to be returned to the House of Representatives.

The committee on the Judiciary was discharged from the further consideration of the report of the committee on District Officers and Offices of the House of Representatives, on that part of the Governor's Message No. 3, in relation to the compilation of the laws of Magistrates by B. C. Presley, Esq., and the bill of Walker & Burke for printing and binding the same.

Mr. WITHERSPOON presented the favorable report of the committee on Roads and Buildings, on the petition of the Commissioners of Public Buildings for Marion District; which was ordered for consideration on Monday next.

Mr. R. F. W. ALLSTON presented the unfavorable report of the committee on the College, Education and Religion, on the presentment of the Grand Jury of Pickens, on the distribution of the Free School fund; also,

The report of the same committee, on the report of the Vestry of St. James, Goose Creek, on the Ludlam School fund; which were ordered for consideration on Monday next.

Mr. WITHERSPOON presented the report of the committee on Roads and Buildings, on a Bill to establish certain roads, bridges and ferries, which was ordered for consideration on Monday next.

The House of Representatives returned to the Senate, an Act to aid in the construction of the Wilmington and Manchester Rail Road, which had received three readings in the House of Representatives, and three readings in the Senate; the bill was referred to the committee on Incorporations and Engrossed Acts.

On motion of Mr. FELDER, the Senate at 27 minutes to 4 o'clock, recessed from business until 7 o'clock, P. M.

#### RECESS.

At the hour of 7 o'clock, the President took the chair, and the Senate proceeded to business.

On motion of Mr. PORTER, leave was given to the committee on Claims and Grievances, to sit during the session of the Senate.

The House of Representatives sent to the Senate,

A Bill to produce conformity in the charters granted to the Charlotte and South Carolina Rail Road Company, by the States of North and South Carolina, which Bill had received two readings in the House of Representatives; the Bill received the first reading in the Senate, and was referred to the committee on Incorporations and Engrossed Acts.

Mr. MARSHALL presented the petition of sundry citizens of Abbeville District, praying the Incorporation of the Republican Church of the Methodist denomination, and for other purposes, which was referred to the committee on Incorporations and Engrossed Acts.

Mr. WITHERSPOON presented the petition of Thomas N. Pettus, for services rendered to the State; which was referred to the committee on Claims and Grievances.

The House of Representatives returned to the Senate,

A Bill to provide for a special election for Tax Collector for Laurens District, which Bill had received two readings in the Senate, and two read-

ings in the House of Representatives ; the bill received the third reading in the Senate, and it was resolved that the bill do pass ; that the title thereof be changed ; that it be called an Act, and be returned to the House of Representatives.

The House of Representatives sent to the Senate,

A Bill to amend an Act, entitled "an Act to Incorporate the Laurens Rail Road Company," the bill received the first reading, and was referred to the committee on Incorporations and Engrossed Acts.

The committee on Incorporations and Engrossed Acts was discharged from the further consideration of the petition of B. C. Pressly and others, praying to be incorporated as a company for the manufacture of paper ; and from the petition of the Town Council of Columbia, praying for an extension of their corporate powers.

Mr. GRIFFIN presented the favorable report of the committee on Incorporations and Engrossed Acts, on a Bill to produce conformity in the charters granted to the Charlotte and South Carolina Rail Road Company, by the States of North and South Carolina ; and

The favorable report of the same committee, on a Bill to amend an Act entitled an Act to incorporate the Laurens Rail Road Company. The reports were ordered for consideration on Monday next.

Mr. APPLEBY moved a reconsideration of the vote taken to-day on the report of the committee on Agriculture and Internal Improvements, on a Bill to declare Poke Swamp, in St. George's Parish, a navigable stream ; and the same was ordered.

On motion of Mr. APPLEBY, the unfavorable report of the committee was ordered to lie on the table, and the Bill was taken up for a second reading. The Bill having received the second reading, it was agreed to, and was ordered to be returned to the House of Representatives.

The House of Representatives sent to the Senate

A Bill to make appropriations for the year commencing in October, one thousand eight hundred and forty-eight. The Bill received the first reading, and was referred to the committee on Finance and Banks.

The committee on Incorporations and Engrossed Acts was discharged from the further consideration of the petition of citizens of Abbeville District, praying the incorporation of the Republican Church of the Methodist denomination, and for other purposes.

The House of Representatives sent to the Senate

A Bill to incorporate certain Societies and Companies, and to renew and amend certain Charters heretofore granted, and for other purposes. The Bill received the first reading, and was referred to the committee on Incorporations and Engrossed Acts.

On motion of Mr. BUCHANAN, it was ordered that when the Senate adjourns it shall stand adjourned to meet on Monday next at eleven o'clock.

The House of Representatives sent to the Senate

A Bill to incorporate the Greenville Rail Road Company. The Bill received the first reading, and was referred to the committee on Incorporations and Engrossed Acts. Also,

A Bill to authorize the admission of free persons of color into the Lunatic Asylum, and for other purposes. The Bill received the first reading, and was referred to the committee on the Lunatic Asylum and Medical Accounts.

The House of Representatives also sent to the Senate

A Bill to amend the charter of the Spartanburg and Union Rail Road Company. The Bill received the first reading, and was referred to the committee on Incorporations and Engrossed Acts.

On motion of Mr. GRIFFIN, the Senate adjourned, at 3 minutes to eleven o'clock, P. M.

MONDAY, DECEMBER 18, 1848.

The Senate met at 11 o'clock, pursuant to adjournment.

The Clerk read the Journal of the proceedings of Saturday.

The House of Representatives sent to the Senate the following message, which was ordered to lie on the table.

IN THE HOUSE OF REPRESENTATIVES, }  
December 18, 1848. }

*Mr. President, and Gentlemen of the Senate:*

This House proposes to Senate, to go into an election for President and Directors of the Bank of the State, this day, at 12 o'clock.

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

Mr. GRIFFIN presented the report of the committee on Incorporations and Engrossed Acts, on a Bill to amend the charter of the Spartanburg and Union Rail Road Company, recommending the passage of the Bill; also

The unfavorable report of the same committee, on a Bill from the House of Representatives, to incorporate the Greenville Rail Road Company; also,

The report of the same committee, on a Bill from the House of Representatives, to incorporate certain Societies and Companies, and to renew and amend certain charters heretofore granted, and on sundry petitions on the same subject; which were ordered to be placed in the General Orders for this day.

The committee on Incorporations and Engrossed Acts was discharged from the further consideration of the petition of Joshua Lazarus, and others, praying to be incorporated as a Company for supplying the City of Charleston with water; and

From the petition of C. A. Magwood, J. Y. Stock, J. L. Patterson, and others, praying to be incorporated as a Wharf Company; and the same committee was also discharged from the further consideration of

A Bill to incorporate the Greenville Rail-road Company, which had been introduced into the Senate, and the Bill was ordered to lie on the table.

Mr. MOSES presented the report of the Committee on the Judiciary, on the communication of J. A. Strobhart, State Reporter, accompanied with the 2d volume of his Law Reports; which was ordered to lie on the table.

Mr. GOODWYN presented the report of the Committee on the Lunatic Asylum and Medical Accounts, on a Bill to authorize the admission of persons of color into the Lunatic Asylum, and for other purposes, recommending its passage; which was ordered to be placed in the General Orders for this day.

The Committee on the Military and Pensions was discharged from the further consideration of the Preamble and Resolutions in relation to the sum of \$5000, appropriated for paying the expenses home of the volunteers, on their return from the Mexican war.

Mr. HANNA presented the report of the Special Joint Committee on the part of the Senate, (consisting of the Committee on the Military and Pensions,) on so much of the Governor's Message No. 3 as relates to military affairs; which was ordered to be placed in the General Orders for this day; also

The unfavorable report of the Committee on the Military and Pensions on a Bill to alter and amend an Act entitled "An Act to reduce all Acts and clauses of Acts in relation to the militia of this State, into one Act, and to alter and amend the same;" which was ordered to be placed in the General Orders for this day.

The House of Representatives sent to the Senate for concurrence Resolutions in relation to the Bank of South Carolina, which were read and were referred to the Committee on Finance and Banks.

Mr. PORTER presented the report of the Committee on Claims and Grievances on the petitions and accounts of sundry witnesses and special constables, in the case of the contested election for St. Luke, praying compensation for services and attendance; and

The report of the same Committee on the petitions and accounts of sundry witnesses and special constables, in the matters of the contested election for St. James, Goose Creek; and the reports having been ordered for immediate consideration, they were agreed to, and were ordered to be sent to the House of Representatives for concurrence.

Mr. GIST offered the following Preamble and Resolutions, which were prefaced by a few feeling and appropriate remarks.

*Whereas*, information has been received that the remains of the Hon. James A. Black, late Member of Congress from the First Congressional District, have arrived in Charleston, and will be in this town this evening, for the purpose of being interred on to-morrow, at half-past 3 o'clock P. M. at the burying ground of the Presbyterian Church; be it, therefore,

*Resolved*, That the Senate will attend the funeral of the late Hon. Jas. A. Black; and that a committee be appointed to make the necessary arrangements; and also that a message be sent to the House of Representatives, requesting the appointment of a similar committee, to act jointly in carrying out the object contemplated.

The Resolutions were agreed to; Messrs. GIST, CANNON, and WITHERSPOON, were appointed the committee on the part of the Senate, and a message was sent to the House of Representatives accordingly.

The House of Representatives sent to the Senate for concurrence,

The report of the committee on the Military, on the report of the Board of Visitors of the Military Academies; which was referred to the committee on the Military and Pensions.

Mr. BUCHANAN presented the report of the committee on Finance and Banks, on a resolution from the House of Representatives, requiring the President of the Bank to state in his annual private returns, the liabilities, as well as the indebtedness of the Officers; which was ordered for consideration to-morrow.

Mr. BUCHANAN presented the report of the committee on Finance and Banks, on a Bill to make appropriations for the year commencing in October one thousand eight hundred and forty-eight; the report being ordered for immediate consideration, the Bill received the second reading, was agreed to, and was ordered to be returned to the House of Representatives.

Mr. PORTER, chairman of the committee on Claims and Grievances,

gave notice that on the 3d reading of the Appropriation Bill, he will move to increase the amount allowed for the payment of claims allowed by the General Assembly.

Mr. BUCHANAN, chairman of the committee on Finance and Banks, gave notice that on the 3d reading of the Bill, making appropriations for the year commencing October 1st, 1848, he will offer sundry amendments.

Mr. WITHERSPOON, chairman of the committee on Roads and Buildings, gave notice that, on the 3d reading of the Appropriation Bill, he will move to amend the same by adding *forty thousand dollars*, if so much be necessary, for public buildings.

The following message was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES, }  
December 18, 1848. }

*Mr. President and Gentlemen of the Senate :*

This House concurs with Senate in its message, proposing to this House the appointment of a special committee, to make arrangements to attend the funeral service of the late Hon. JAMES A. BLACK, at  $\frac{1}{2}$  past 3 o'clock to-morrow, and has appointed Messrs. Henry, A. W. Thompson and Gyles, a special committee on the part of the House, to meet the committee of Senate on that subject.

By order of the House,

JOHN IZARD MIDDLETON, *Speaker*.

The President laid before the Senate, the report of the President of the Bank of the State of South Carolina, in answer to certain resolutions relative to the sale of the Nesbitt Manufacturing Company; which was ordered to lie on the table, and to be printed.

Mr. PORTER presented the favorable report of the committee on Claims and Grievances, on the account of the Clerk of the Senate, for Stationary and binding of books. Also,

The report of the same committee, on the report of the committee on Claims of the House of Representatives, on the account of Johnston and Summer for printing, indexing and arranging a compilation of all the Acts, Resolutions and Reports, relating to the Bank of the State. Also,

The report of the same committee, on the report of the committee on Claims of the House of Representatives, on the memorial of R. Q. Pinckney, praying to be allowed to finish indexing the records in the office of Secretary of State, or to be paid for the work which he has done. Also,

The report of the same committee, on the report of the committee on Claims of the House of Representatives, on sundry accounts of A. G. Summer for public printing. Also,

The report of the same committee, on the report of the committee on Claims of the House of Representatives, on the petition of A. G. Summer

for balance due him for public printing for the last General Assembly, and unprovided for by the Act of 1847; all of which were ordered for consideration to-morrow.

On motion of Mr. PORTER, a message was sent to the House of Representatives, proposing to that House to go forthwith into a ballot for President and Directors of the Bank of the State of South Carolina.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

The favorable report of the committee on the Judiciary, on so much of the Message of his excellency Governor Johnson, as relates to the compilation of the Law of Magistrates and Constables, by B. C. Pressly, Esq.; was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The report of the same committee, on the petition of A. E. Miller, praying aid in his compilation "for the use of the South Carolina Law Officer;" which recommends the purchase of 100 copies of the work, at \$3 per copy, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The report of the same committee, on so much of the Message of the Governor, as relates to the Digest of the Negro Law of South Carolina; recommending the purchase of 1200 copies of the same, at 50 cents per copy; was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The report of the committee on Education, of the House of Representatives, on the petition of the Commissioners of Free Schools, for the parish of St. George's Dorchester, asking a balance of an appropriation for the Free Schools for that parish, for the year 1847; was concurred in, and was returned to the House of Representatives.

The unfavorable report of the committee on the College, Education and Religion, on the presentment of the Grand Jury of Pickens, on the distribution of the Free School Fund; was agreed to.

The report of the committee on Roads and Buildings, on the petition of the Commissioners of Public Buildings for Marion district;

The report of the committee on the College, Education, and Religion, on the report of the vestry of St. James, Goose Creek, on the Ludlam School fund; were agreed to, and were ordered to be sent to the House of Representatives for concurrence.

A Bill to procure conformity in the charters granted to the Charlotte and South Carolina Rail Road Company, by the States of North and South Carolina; received the second reading; was agreed to and was ordered to be sent to the House of Representatives.

A Bill to amend an Act entitled "An Act to incorporate the Laurens Rail Road Company," received the second reading in the Senate: was



agreed to, and was ordered to be returned to the House of Representatives:

A Bill directing a census to be taken of the free white inhabitants of this State; was ordered to lie on the table.

The General Orders were suspended, and the following Message was received from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES, }  
December 18, 1848. }

*Mr. President, and Gentlemen of the Senate:*

This House concurs with Senate, to go forthwith into a ballot for President and Directors of the Bank of the State.

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

The Senate thereupon joined the House of Representatives in the election, accordingly. Messrs. JOHNSON and MANNING were appointed the committee on the part of the Senate, to count the ballots.

The General Orders were resumed.

A Bill to amend the charter of the Spartanburg and Union Rail Road Company, and

A Bill to authorize the admission of persons of color into the Lunatic Asylum, and for other purposes; the Bills each received a second reading, were agreed to, and ordered to be returned to the House of Representatives.

The General Orders were suspended, and

Mr. MAZYCK presented the report of the committee on Privileges and Elections, on the contested election for Senator from St. James, Goose Creek, recommending that the seat of the sitting member be declared vacant; the report was ordered for consideration to-morrow, and to be printed.

The Senate resumed the

#### GENERAL ORDERS OF THE DAY.

A Bill to establish certain Roads, Bridges and Ferries was on the second reading; the committee on Roads and Buildings recommended the following amendment:

21st. That the Bridge across the Savannah river at Hamburg and Augusta, be, and the same is hereby re-chartered and vested in Henry Shultz and John McKenney, their heirs and assigns, for the term of fourteen years, with the following rates of toll, that is to say: For every wagon with four or six horses and driver, thirty cents; for every wagon with two or three horses and driver, twenty cents; for every pleasure carriage, horses and driver, twenty cents; for every buggy, chaise, horse and driver, fifteen cents; for every dray or cart, with horse and driver, fifteen cents; for every man and horse, five cents; for every passenger on foot, two cents; for every head of horses, cows, or beasts, three cents; for every head of hogs or sheep, one cent; no wagon or carriage to carry over five thousand weight in loading,

under the penalty of five hundred dollars ; no wagon or other carriage to go beyond a walk on said bridge, under the penalty of ten dollars. All pleasure carriages of whatsoever kind, man on horse or foot, going to Church, or for pleasure, are permitted to pass free on Sunday.

On the question of agreeing to this amendment, the yeas and nays were ordered to be taken, and they are as follows :

Those who voted in the affirmative, are

| Hon. ANGUS PATTERSON, President, |                 |
|----------------------------------|-----------------|
| Messrs. B. G. Allston,           | Messrs. Irby,   |
| Barnes,                          | Johnson,        |
| Black,                           | Marshall,       |
| Caldwell,                        | Moses,          |
| Cannon,                          | P. P. Palmer,   |
| Cooper,                          | John S. Palmer, |
| DeTreville,                      | Perry,          |
| Eaves,                           | Quattlebaum,    |
| Felder,                          | Skipper,        |
| Gause,                           | Walker,         |
| Gist,                            | Ward,           |
| Goodwyn,                         | Ware,           |
| Griffin,                         | Williams,       |
| Grimball,                        | I. D. Wilson.   |
| Hanna,                           | Witherspoon.    |
| Hibben,                          |                 |

Those who voted in the negative, are

|                           |                |
|---------------------------|----------------|
| Messrs. R. F. W. Allston, | Messrs. Evins, |
| Appleby,                  | Mazyck,        |
| Buchanan,                 |                |

Yeas, 32—Nays, 5.

The amendment was therefore agreed to, and the Bill having received the 2d reading, was agreed to and was ordered to be returned to the House of Representatives. Mr. TAYLOR, who was absent when the vote was taken upon the amendment proposed by the committee, was permitted by the Senate to record the vote he would have given if he had been present, and upon his name being called, the Senator voted in the negative.

The unfavorable report of the committee on Incorporations and Engrossed Acts, on a Bill (from the House of Representatives,) to incorporate the Greenville Rail Road Company, was, on motion of Mr. WARE, ordered to lie on the table, and the Bill was ordered for a second reading. The Bill was before the Senate on the second reading, when, on motion of Mr. MOSES, the Senate, at 10 minutes to 4 o'clock, recessed from business until 7 o'clock, P. M.

## RECESS.

At the hour of 7 o'clock, the President took the chair, and the Senate proceeded to business.

A Bill to incorporate the Greenville Rail Road Company, which was before the Senate at the hour at which the Senate had recessed from business, was again before the Senate. The Bill having received the second reading, on the question of agreeing to the Bill, the yeas and nays were ordered to be taken, and they are as follows :

Those who voted in the affirmative are

The Hon. ANGUS PATTERSON, President, and

|                        |                 |
|------------------------|-----------------|
| Messrs. B. G. Allston, | Messrs. Ashe,   |
| Barnes,                | Bull,           |
| Buchanan,              | Cannon,         |
| Cooper,                | Eaves,          |
| Ellerbe,               | Felder,         |
| Gause,                 | Gist,           |
| Goodwin,               | Grimball,       |
| Hanna,                 | Irby,           |
| Johnson,               | Manning,        |
| Mazyck,                | Moses,          |
| P. P. Palmer,          | John S. Palmer, |
| Perry,                 | Quattlebaum,    |
| Skipper,               | Ware,           |
| Williams,              | Witherspoon,    |

Those who voted in the negative are

|                  |                   |
|------------------|-------------------|
| Messrs. Appleby, | Messrs. Caldwell, |
| Evins,           | Griffin,          |
| Marshall,        | Porter,           |
| Taylor,          | Walker,           |
| Izaak D. Wilson. |                   |

YEAS 29—NAYS 9.

The Bill was therefore agreed to, and was ordered to be returned to the House of Representatives.

A Bill to Incorporate certain Societies and Companies, and to renew certain charters heretofore granted, received the second reading, was agreed to, and was ordered to be returned to the House of Representatives.

The General Orders were suspended.

Mr. JOHNSON, from the committee to count the votes for President and Directors of the Bank of the State of South Carolina, reported the following gentlemen duly elected, viz :

F. H. ELMORE, PRESIDENT.

DIRECTORS.

S. L. GLOVER,  
P. M. COHEN,  
E. CARSON,  
THOMAS LEHRE,  
ROBERT FISHBURNE.  
R. G. STONE,  
GEORGE ROBERTSON,  
F. R. SHACKELFORD,  
WILLIAM M. LAWTON,  
R. CALDWELL,  
G. S. CAMMERON.

And that no person had received a majority of votes for 12th Director.

Mr. MANNING presented the report of the committee on Federal Relations, on so much of the Message of his Excellency the Governor, as relates to the construction of a Rail Road from Lake Michigan to the Pacific Ocean, which was ordered for consideration to-morrow.

The Senate resumed the General Orders of the day.

The unfavorable report of the committee on the Military and Pensions, on

“ A Bill to alter and amend an Act, entitled ‘An Act to reduce all Acts and clauses of Acts, in relation to the Militia of this State, into one Act, and to alter and amend the same;’ was agreed to, and the bill was consequently rejected.

The report of the Special Joint Committee, on the part of the Senate, on so much of the Governor's Message No. 3 as relates to Military affairs; was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

Leave of absence was granted to Mr. APPLEBY, Senator from St. George's Dorchester, from and after to-morrow.

The Senate resumed the

GENERAL ORDERS OF THE DAY.

The report of the committee on the College, Education and Religion, on the returns of the several Boards of Commissioners of Free Schools, was agreed to.

The General Orders were again suspended.

The House of Representatives sent to the Senate the following message, which was ordered to lie on the table.

IN THE HOUSE OF REPRESENTATIVES,  
December 18, 1848. }

*Mr. President, and Gentlemen of the Senate:*

This House proposes to Senate, to go forthwith into a ballot for twelfth Director of the Bank of the State.

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

Mr. JOHNSON called up from the table, a Bill directing a Census to be taken of the free white inhabitants of this State; the bill received the second reading, was agreed to, and was ordered to be returned to the House of Representatives.

Mr. PORTER presented the unfavorable reports of the committee on Claims and Grievances,

On the account of Thomas W. Stutts, for injuries received by horses on the State road; and

On the petition of the City Council of Charleston, praying to be refunded \$200, proclamation money, paid out of the Treasury, for the apprehension of Jose Ponce, charged with murder; and

The report of the same committee, on the account of Thomas N. Pettus, recommending payment of a portion of the account; which were ordered for consideration to-morrow.

Mr. TAYLOR presented the report of the committee on Agriculture and Internal Improvements, on Tuomey's Geology of South Carolina; and

The report of the same Committee, on the Magnetic Needle, and observations of the variation of the same; which were ordered for consideration to-morrow, and to be printed.

Mr. CANNON presented the report of the same committee, on so much of the Governor's Message as relates to the navigation of Broad river; which was ordered for consideration to-morrow.

On motion of Mr. HANNA, the message from the House of Representatives, in relation to an election for a twelfth Director of the Bank of the State, was taken up and concurred in; the Senate thereupon immediately joined the House of Representatives in balloting for Bank Director; Messrs. MARSHALL and MAZYCK were appointed a committee on the part of the Senate to count the ballots.

The House of Representatives sent to the Senate for concurrence,

The report of the committee on the Lunatic Asylum of that House, on sundry resolutions, and on the reports of the Regents and Physician of the Lunatic Asylum; which was referred to the committee on Lunatic Asylum and Medical Accounts.

The House of Representatives also sent to the Senate for concurrence,

The report of the Special committee of the House of Representatives, on

so much of the Governor's Message No. 3., as relates to the building of a monument to the officers and soldiers of the Palmetto Regiment, who fell in Mexico. The report was referred to the Special Committee of the Senate on the same subject.

The House of Representatives also sent to the Senate for concurrence,

The report of the committee on the Judiciary, on the petition of A. E. Miller, praying aid in the publication of a compilation of the forms for Sheriffs and Clerks. And also,

A Resolution appointing a committee to enquire into the propriety of removing certain papers, in the office of Secretary of State; which were referred to the committee on the Judiciary.

The House of Representatives also sent to the Senate for concurrence,

A Resolution requiring the Treasurer of the South Carolina College, to print and distribute a statement of receipts and disbursements for the College; which was referred to the committee on the College, Education and Religion. And also,

The report of the committee on the Legislative Library, on resolutions in relation to the system of international exchanges proposed by Mons. Vattemare; which was referred to the committee on the Legislative Library. And also,

A resolution granting the use of books in the Legislative Library, to the President and Faculty of the South Carolina College, which was referred to the same committee. And also,

A Resolution directing certain books to be presented to the College Societies; which was referred to the same committee.

The House of Representatives returned to the Senate,

The report of the committee on the Judiciary, on so much of the Governor's Message, as refers to the compilation of the law of Magistrates and Constables; and

The report of the committee on Claims and Grievances, on the petitions and accounts of sundry witnesses and special Constables, in the contested election for St. Luke's Parish, in which that House had concurred.

Mr. MAZYCK offered a resolution providing for instructing the persons appointed to take the Census, to ascertain and report the number of deaf and dumb persons under the age of 21 years, in their respective districts and parishes.

The House of Representatives returned to the Senate, an Act to provide for a special election of Tax Collector for Laurens District, which had received three readings in the Senate, and three readings in the House of Representatives, and was referred to the committee on Incorporations and Engrossed Acts.

The House of Representatives sent to the Senate,

A Bill to confirm a grant to James M. Harris, which by mistake was issued to James W. Harris, which Bill had received two readings in the Senate and two readings in the House of Representatives; the Bill received the third reading in the Senate, and it was resolved, that it do pass, that the title thereof be changed, and that it be called "an Act," and be returned to the House of Representatives.

Mr. GOODWYN presented the report of the committee on the Lunatic Asylum and Medical Accounts, on the report of the committee on the Lunatic Asylum of the House of Representatives, on the report of the Regents and Physician of the Lunatic Asylum, which was ordered for consideration to-morrow.

Mr. MARSHALL, from the committee on the part of the Senate to count the votes for a 12th director of the Bank of the State of South Carolina, reported, that William C. Dukes had received a majority of votes, and was therefore duly elected.

The House of Representatives sent to the Senate for concurrence,

The report of the committee on accounts of that House, on the accounts against the upper division of the Treasury. The report being ordered for immediate consideration, was concurred in and was ordered to be returned to the House of Representatives.

On motion of Mr. MAZYCK, it was ordered that when the Senate adjourns it shall stand adjourned to meet to-morrow at 11 o'clock.

On motion of Mr. MAZYCK the Senate adjourned, at 26 minutes to 10 o'clock, P. M.

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TUESDAY, DECEMBER 19, 1848.

The Senate met at 11 o'clock, pursuant to adjournment.

The Clerk read the journal of the proceedings of yesterday.

Mr. BLACK presented the report of the Committee on the Legislative Library, on the report of the committee on the Legislative Library of the House of Representatives, on certain Resolutions relating to the system of National interchange of Mr. Vattermare; also

The report of the same committee, on a Resolution, granting the use of

books in the Legislative Library to the President and Faculty of the South Carolina College,

Also the report of the same committee on a Resolution, directing certain books to be presented to the College Library, and to the libraries of the two societies in the College; all of which were ordered to be placed in the General Orders for this day.

Mr. BLACK presented the account of Benjamin Hart, for incidental expenses of the State House, for 1848; which was referred to the Committee on Claims and Grievances.

Mr. WITHERSPOON presented the unfavorable report of the Committee on Roads and Buildings, on the petition of F. M. Norris and Samuel W. Weeks; and

The report of the same Committee on a Resolution in relation to the Union Ferry road, recommending its adoption; which were ordered to be placed in the General Orders for this day.

Leave of absence was granted to the Clerk of the Senate, to search for papers for the Committee on Privileges and Elections.

The President laid before the Senate the report of the Solicitor for the Eastern Circuit, on District offices and officers; which was referred to the Committee on the Judiciary.

Mr. HANNA presented the favorable report of the Committee on the Military and Pensions, on the report of the Committee on the Military, of the House of Representatives, on the report of the Board of Visitors of the Military Academies; which was ordered to be placed in the General Orders for this day.

Mr. BUCHANAN presented the unfavorable report of the Committee on Finance and Banks on the petition of M. M. Levy, praying to be refunded interest paid on tax executions; which was ordered for consideration to-morrow.

The following persons were appointed a Committee to examine the Bank of the State of South Carolina and its Branches, viz:

For the principal Bank, Messrs. MAZYCK and MARSHALL;

“ “ Branch at Columbia, Messrs. GIST and CALDWELL;

“ “ “ “ Camden, Messrs. I. D. WILSON and BARNES;

And a message was ordered to be sent to the House of Representatives, asking the appointment of a similar Committee, on the part of that House, to act with the Committee of the Senate, on that subject.

The House of Representatives returned to the Senate the following Bills, which had received two readings in the Senate and two readings in the House of Representatives.

A Bill to incorporate the King's Mountain Rail-road Company;

A Bill to incorporate the Laurel Falls Manufacturing Company;



A Bill to abolish the office of Superintendent of Public Works, and for other purposes ;

A Bill to incorporate the Bradford Springs Female Institute Company ; and

A Bill to incorporate the town of Winnsborough.

The Bills each received the third reading in the Senate, and it was resolved that they do pass ; that the titles thereof be changed ; that they be called Acts ; and it was ordered that they be sent to the House of Representatives.

The House of Representatives sent to the Senate the following bills, which had received three readings in the House of Representatives, and two readings in the Senate, viz :

A Bill to raise supplies, for the year commencing in October, one thousand eight hundred and forty eight.

A Bill to provide for funding the debt of the South Carolina Rail Road Company to the State.

A Bill to increase the powers of the Town Council of Columbia.

A Bill to authorize the United States to purchase a sufficient quantity of land in this State for the erection of a Custom House, and for other purposes.

A Bill to establish the allowance of days of grace upon bills of exchange at sight.

A Bill to vest the right and title of the State, in and to the estate of Elizabeth H. Kerr, deceased, in Hamilton F. Boland.

A Bill to alter the sittings of the Courts of Equity in the third Circuit, and to establish a Court of Equity in Marlborough District.

A Bill to declare Poke Swamp, in St. George's Parish, a navigable stream.

A Bill to authorize the admission of persons of color, into the Lunatic Asylum, and for other purposes.

A Bill to amend the charter of the Spartanburg and Union Rail Road Company.

A Bill to amend the law in relation to the education of the deaf, dumb, and blind children of this State.

A Bill to incorporate the Keowee Turnpike Company.

A Bill to incorporate the Greenville Rail Road Company.

A Bill directing a census to be taken of the free white inhabitants of the State.

A Bill to amend an Act, entitled an Act to Incorporate the Laurens Rail Road Company.

A Bill to Incorporate certain Societies and Companies, and to renew certain charters heretofore granted ; the Bills, severally, received the third reading in the Senate, and it was resolved that the Bills do pass, that the ti-

ties thereof be changed, that they be called "Acts," and ordered to be returned to the House of Representatives.

The House of Representatives returned to the Senate the following reports, in which it had concurred:

The report of the committee on the Military and Pensions, on the petition of William Glaze, praying payment for two Cannon purchased for the Richland Light Artillery; and

The report of the committee on Roads and Buildings, on the memorial of Commissioners of Public Buildings for Newberry District, as also the Presentment of the Grand Jury for said District.

The House of Representatives sent to the Senate for concurrence,

The report of the committee on Public Buildings, on the Presentment of the Grand Jury of Marlborough District, for Spring and Fall Term, 1848; recommending a new Court House; also,

The report of the same committee on the Presentment of the Grand Jury of Edgefield for Fall Term, 1848, recommending a new Jail.

The report of the same committee, on the petition of sundry citizens of Columbia, praying permission to erect a fire proof building, on the Court House lot, for a Post Office; which were referred to the committee on Roads and Buildings.

The House of Representatives also sent to the Senate for concurrence the following resolution:

*Resolved*, That a committee of investigation, be appointed for the principal Bank of the State of South Carolina, in Charleston, and a committee for each of the branches of said Bank, in accordance with the provisions of the Act to amend the charter of the Bank of the State, passed on the eighteenth of December, 1824; and that the said committees shall have power to send for persons and papers, and to take testimony on oath; and that the members of said committees shall receive for their services, whilst engaged in such investigations, three dollars per diem, each, and ten cents per mile, in payment of their travelling expenses.

Mr. DETREVILLE moved the following amendment:

And that the said committee be instructed to ascertain and report to this General Assembly, without any mention of names, what amount is due in each District of the State, and by how many debtors in each District, classifying the debtors according to their business and occupation.

The resolution and amendment were ordered for consideration to-morrow.

The House of Representatives also sent to the Senate for concurrence, the report of the committee of Ways and Means of the House of Representatives, on the petition and account of the commissioners of the poor for Georgetown district; which was referred to the committee on Finance and Banks. Also,

The report of the committee on Accounts, on the petition of J. D. Allen, administrator of O. D. Allen; and also a resolution directing the Treasurer to withhold the amount allowed to Sterling W. Rives, by the report of the committee on Accounts; which were referred to the committee on Accounts and Vacant Offices.

The House of Representatives also sent to the Senate for concurrence, the report of the committee on Internal Improvements, on the memorial of the Intendant and Wardens of the Town of Hamburg, and sundry citizens of said town, praying an appropriation for the improvement of the navigation of Savannah River in part; which was referred to the committee on Agriculture and Internal Improvements. Also,

The report of the Medical committee, on the account of Daniel Flud; which was referred to the committee on the Lunatic Asylum and Medical Accounts.

Mr. MAZYCK presented the report of the committee on Privileges and Elections, on the petition of sundry citizens of St. Luke's parish, contesting the election of the sitting member for said parish; which was ordered for consideration to-morrow.

Mr. PORTER presented the report of the committee on Claims and Grievances, on the report of the committee on Claims of the House of Representatives,

On the account of Edward Sill for public printing;

On the account of A. S. Johnston for books furnished the State, and for balance due him as printer of the Senate; and

The report of the same committee, on the account of Allen, McCarter & Co. for books and paper furnished the Court of Appeals;

On sundry accounts of the Charleston Mercury for public printing;

On the account of Lewis L. Shelton for board of sick volunteers of the Palmetto Regiment;

On the account of Thos. J. Gantt, Clerk of the Court of Appeals, at Charleston;

On the petition of B. K. Henegan, Secretary of State;

On the account of A. S. Willington & Co. for public printing;

On the account of the South Carolina Advocate for public printing; all of which were ordered for consideration to-morrow.

Mr. PORTER also presented the report of the committee on Claims and Grievances, on the account of John Lomas & Co. for compensation for time lost in work on Court House, suspended by order of a Chancellor, which was ordered for consideration to-morrow.

The report of the committee on Accounts and Vacant Offices, on the contingent accounts against the lower division of the Treasury; was agreed to, and ordered to be sent to the House of Representatives.

Mr. GIST, from the special joint committee, charged with making arrangements, for the attendance by the Senate, upon the funeral of the Hon. JAMES A. BLACK, informed the Senate that the committee had determined upon a plan of arrangements, which will be found in the Daily Telegraph newspaper.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

The report of the committee on Claims, on sundry accounts of A. G. Summer, editor of the South Carolinian, for public printing. Also,

On the petition of A. G. Summer, for balance due him for public printing for the last General Assembly, and unprovided for by the Act of 1847.

On the account of Johnston and Summer, for printing, indexing and arranging a compilation of all the Acts, Resolutions and Reports relative to the Bank of the State; were concurred in and ordered to be returned to the House of Representatives; also,

The report of the committee on the Lunatic Asylum of the House of Representatives, on sundry resolutions and reports of the Regents and Physician of the Asylum; and

A resolution, requiring the President of the Bank of the State to state the indebtedness and liabilities of the officers of the Bank; were concurred in, and were ordered to be returned to the House of Representatives.

The favorable reports of the committee on Claims and Grievances, on the account of the Clerk of the Senate for stationary and binding of books; and

On the account of T. N. Pettus, for services rendered the State, were agreed to and were ordered to be returned to the House of Representatives.

The unfavorable report of the same committee on the petition of the City Council of Charleston, praying to be refunded two hundred dollars, proclamation money, paid out of the City Treasury, for the apprehension of Jose Ponce, charged with murder—was agreed to.

The unfavorable report of the same committee, on the account of Thomas W. Stutts, for injuries sustained by horses on the State road, was agreed to, and leave was granted to Mr. APPLEBY to withdraw the account.

The report of the same committee, on the report of the committee on Claims of the House of Representatives, on the memorial of R. Q. Pinckney, praying to be allowed to finish indexing the records in the office of Secretary of State, or to be paid for the work which he has done, was ordered to lie on the table.

The report of the committee on Agriculture and Internal Improvements, on the Governor's Message, relative to the navigation of Broad river, was agreed to.

A resolution, instructing the persons appointed to take the census of this State, to ascertain and report the number of deaf and dumb white persons, under the age of twenty-one years, in their respective Districts and Parishes, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The committee on Federal Relations was discharged from the further consideration of so much of the message of his Excellency the Governor, as relates to the construction of a rail road from Lake Michigan to the Pacific Ocean.

The General Orders were suspended.

Mr. WITHERSPOON presented the report of the committee on Roads and Buildings, on the report of the committee on Public Buildings of the House of Representatives, granting permission to build a Post Office on the Court House lot, which was ordered to be placed in the General Orders for this day; also

The report of the same committee on the report of the committee on Public Buildings of the House of Representatives, on the presentment of the Grand Jury of Marlborough; and

The report of the same committee, on the report of the committee on Public Buildings of the House of Representatives, on the presentment of the Grand Jury for Edgefield; which were ordered to lie on the table.

Mr. BUCHANAN presented the favorable report of the committee on Finance and Banks, on the report of the Committee of Ways and Means of the House of Representatives on the petition and account of the Commissioners of the poor for Georgetown District.

The report of the same committee, on the memorial of the South Carolina Rail Road Company, on the funding of the debt to the State.

The report of the same committee on resolutions in relation to the private report of the President of the Bank of the State of South Carolina.

The Senate resumed the General Orders of the day.

A resolution directing certain books to be presented to the College Library, and the Societies of the College, and

A resolution granting the use of books in the Legislative Library, to the President and Faculty of the South Carolina College; were concurred in, and were ordered to be returned to the House of Representatives.

The General Orders were again suspended.

Mr. MOSES presented the favorable reports of the committee on the Judiciary,

On the report of the Special Committee of the House of Representatives on so much of the Governor's Message as refers to the building of a Monument, to the officers and soldiers of the Palmetto Regiment who fell in the war with Mexico. And

On the report of the committee on the Judiciary of the House of Representatives, on the petition of A. E. Miller, praying aid in the publication of a compilation for the use of Clerks, Sheriffs, &c. And

On the report of the Solicitors on District offices and officers. And

On a resolution from the House of Representatives, appointing a committee to enquire into the propriety of removing certain papers in the office of Secretary of State; all of which were ordered for consideration to-morrow.

The Senate resumed the General Orders of the day.

The Report of the committee on the Legislative Library of the House of Representatives on resolutions relating to the system of international exchanges, proposed by Mr. Vattermare; was concurred in, and ordered to be returned to the House of Representatives.

The report of the committee on Roads and Buildings, on the petition of F. M. Norris and Samuel M. Wilks, praying permission to erect fire-proof buildings on the public square, in the town of Anderson; was ordered to lie on the table.

A resolution providing for appointing a committee to enquire and report in relation to the Union Ferry turnpike road in Beaufort District; was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The report of the committee on the Military of the House of Representatives on the report of the Board of visitors of the State Military Academies (recommending an appropriation of \$15,000 for repairs and additions to the citadel buildings at Charleston, to be expended under the direction of the board of visitors); was concurred in and ordered to be returned to the House of Representatives.

The unfavorable report of the committee on Finance and Banks, on the petition of M. M. Levy, praying to be refunded interest paid on tax executions, was agreed to.

The report of the committee on Agriculture and Internal Improvements, in relation to the Magnetic Needle, and arrangements for observing the variations of the same; and

The report of the same committee, on Tuomey's Geology of South Carolina; were agreed to, and were ordered to be sent to the House of Representatives for concurrence.

The General Orders were again suspended.

The House of Representatives sent to the Senate,

A Bill to make appropriations for the year commencing in October, one thousand eight hundred and forty-eight, which Bill had received two readings in the Senate, and three readings in the House of Representatives, and on the third reading of the Bill in the House of Representatives, sundry amendments had been added to the Bill; the third reading of the Bill was suspended; and

On motion of Mr. R. F. W. ALLSTON, the amendments were referred to the committee on Finance and Banks, and the bill was ordered to lie on the table.

Mr. DETREVILLE offered the following resolution, which was agreed to.

*Resolved*, That the Clerk of the Senate be instructed to prepare and have printed forthwith, correct lists of the names of the members of the Senate, with the place of residence and Post Office of each opposite, and that he do furnish the members of the Senate, and of the House of Representatives, each with a copy.

The following Message was received from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES, }  
December 19, 1848. }

*Mr. President and Gentlemen of the Senate :*

This House concurs with Senate in its message, proposing to this House the appointment of committees for the examination of the Bank of the State and its branches, and have appointed, for the Parent Bank, F. D. Richardson, B. J. Johnson, C. McBeth; for the Columbia branch, J. S. Preston, E. P. Smith, W. A. Owens; for the Camden branch, G. W. Williams, J. B. Witherspoon, James Cantey, to meet the committees of the Senate.

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

On motion of Mr. DETREVILLE, it was ordered that when the Senate recedes from business, to attend the funeral of the Hon. James A. Black, the business of the Senate will be suspended until 7 o'clock, P. M.

Mr. R. F. W. ALLSTON presented the report of the Joint Special Committee, on the part of the Senate, on the accounts of the Executive Department; also,

The report of the committee on the College, Education and Religion, on the accounts of the College Treasurer.

The House of Representatives sent to the Senate—

A Bill to establish certain roads, bridges and ferries; and

A Bill to produce conformity in the charters granted to the Charlotte and South Carolina Railroad Companies by the States of North and South Carolina; which Bills had received three readings in the House of Representatives, and two readings in the Senate; the Bills each received the third reading, and it was resolved that they do pass, that the titles thereof be changed, that they be called "Acts," and be returned to the House of Representatives.

The House of Representatives returned to the Senate the following

Acts, which had received three readings in the Senate, and three readings in the House of Representatives.

An Act to incorporate the town of Winnsborough ;

An Act to incorporate the King's Mountain Railroad Company ;

An Act to incorporate the Laurel Falls Manufacturing Company ;

An Act to confirm a grant to James M. Harris, which, by mistake, was issued to James W. Harris ;

An Act to abolish the office of Superintendent of Public Works, and for other purposes ; and they were referred to the Committee on Incorporations and Engrossed Acts.

The House of Representatives also returned to the Senate the report of the Committee on Claims and Grievances, on the petition and accounts of sundry persons, as witnesses and special constables, in the contested election for St. James, Goose Creek ; and

The report of the Committee on the Judiciary, on the Governor's Message, relative to a compilation of the Law of Magistrates and Constables ; in which reports the House of Representatives had concurred.

Mr. BUCHANAN presented the report of the Committee on Finance and Banks, on the amendments to a Bill to make appropriations for the year commencing in October, 1848. The report was placed in the General Orders for this day.

The Senate resumed the General Orders of the Day.

The report of the Committee on Roads and Buildings, on the report of the Committee on Public Buildings, of the House of Representatives, on the petition of sundry citizens, praying permission to erect a fire-proof building, for a post office, on the Court House lot in Columbia, was ordered to lie on the table.

The General orders were again suspended, and the Senate, on motion of Mr. MARSHALL, at the hour of 17 minutes to 4 o'clock, recessed from business, until 7 o'clock, P. M.

#### RECESS.

At the hour of 7 o'clock, the President took the chair, and the Senate proceeded to business.

On motion of Mr. BLACK, leave was granted to the committee on Accounts and Vacant Offices to sit during the Session of the Senate.

On motion of Mr. B. G. ALLSTON, it was ordered that the report of the committee on Privileges and Elections, on the contested election for St. Luke's parish, and the testimony, be printed ; and it was ordered by the Senate, that the commissions not yet open, should not be sent to the printer.

Mr. MOSES offered a resolution, providing for appointing a Magistrate for Sumter district ; which was ordered to lie on the table.



The House of Representatives sent to the Senate for concurrence, the report of the joint special committee, on the part of the House of Representatives, on the accounts of the Executive Department; and

A resolution for the adjustment of accounts with the General Government, in relation to the Palmetto Regiment; and

Resolutions providing for taking measures to collect, from Burnley, Johnson & Co., the amount over paid them on account of the Palmetto Regiment. The report and resolutions having been ordered for immediate consideration, they were concurred in, and were ordered to be returned to the House of Representatives.

The committee on Accounts and Vacant Offices was discharged from the further consideration of a resolution from the House of Representatives, directing the Treasurer to withhold the amount allowed to Sterling W. Rives, by the report of the committee on Accounts; and the resolution was referred to the committee on the Judiciary.

The Senate resumed the third reading of a Bill to make appropriations for the year commencing in October, one thousand eight hundred and forty-eight. On the third reading of the Bill, in the House of Representatives, the following amendment had been added.

"For the improvement of the Lunatic Asylum, fifteen thousand dollars, to be drawn and applied as directed by the Regents of said Asylum."

On the question of agreeing to this amendment the yeas and nays were ordered to be taken, and they are as follows.

Those who voted in the affirmative, are

Hon. ANGUS PATTERSON, President.

Messrs. R. F. W. Allston,

Messrs. Hibben,

B. G. Allston,

Johnson,

Appleby,

Manning,

Ashe,

Mazyck,

Black,

Moses,

Buchanan,

P. P. Palmer,

Cannon,

John S. Palmer,

Cooper,

Perry,

DeTreville,

Porter,

Gause,

Taylor,

Goodwyn,

Ward,

Griffin,

Ware,

Grimball,

Isaac D. Wilson.

Hanna,

Those who voted in the negative, are

Messrs. Caldwell,  
Eaves,  
Evins,  
Felder,  
Gist,

Messrs. Irby,  
Marshall,  
Quattlebaum,  
Skipper,  
Williams.

Yeas, 28—Nays, 10.

The amendment was, therefore agreed to.

Mr. BUCHANAN offered the following amendment.

"For B. C. Pressly, for compiling and preparing a Digest of laws in relation to Magistrates and Constables, two thousand dollars.

"For Walker & Burke, for balance due, for publishing the same, four hundred and ninety-one dollars."

The amendment was agreed to, and a message was sent to the House of Representatives, asking leave to amend the Bill accordingly.

To this, the House of Representatives returned the following reply :

IN THE HOUSE OF REPRESENTATIVES, }  
December 19, 1848.

*Mr. President and Gentlemen of the Senate—*

This House grants leave to Senate to amend the bill to make appropriations for the year commencing in October, 1848, by adding the following words, viz: "For B. C. Pressly, for compiling and preparing Digest of Laws in relation to magistrates and constables, two thousand dollars. For Walker & Burke, for balance due for publishing the same, four hundred and ninety-one dollars."

By order of the House.

JOHN IZARD MIDDLETON, Speaker.

The Bill was amended accordingly in pursuance to the leave granted ; and the bill having received the 3d reading, it was resolved that the bill do pass, that the title thereof be changed, that it be called "An Act," and be returned to the House of Representatives.

The House of Representatives sent to the Senate, the report of the Special Committee to nominate suitable persons to take the census of the free white inhabitants of this State.

On motion of Mr. HIBBEN, a message was sent to the House of Representatives, asking leave to amend the report, by striking out the sum of "twenty-four dollars," fixed as the compensation for taking the census of Christ Church Parish, and inserting the sum of "\$30." To this message, the House of Representatives returned the following reply :

IN THE HOUSE OF REPRESENTATIVES, }  
December 19, 1848.

*Mr. President and Gentlemen of the Senate :*

This House grants leave to Senate, to amend the resolutions appointing

suitable persons to take the Census of the free white inhabitants of the State, by striking out the sum of \$24, fixed as the compensation for taking the Census of Christ Church Parish, and inserting the sum of \$30.

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

The report was then amended in pursuance to the leave granted, and as amended, was concurred in and was returned to the House of Representatives.

The Senate resumed the

### GENERAL ORDERS OF THE DAY,

And proceeded to the consideration of the report of the committee on Privileges and Elections, on the memorial of J. N. Davis, contesting the seat of the sitting member from St. James, Goose Creek; which report recommends that the seat of the sitting member be declared vacant.

Mr. DeTREVILLE moved the following resolution:

*Resolved*, That the committee erred in deciding that James A. Byrd could not legally vote for Senator for the parish of St. James, Goose Creek, at the last general election, because he had voted in St. John's Berkley, at the same election, for a Representative.

Before the vote was taken, Mr. R. F. W. ALLSTON offered the following resolution:

*Resolved*, That the vote of James A. Byrd, is a bad vote.

On this question the ayes and noes were ordered to be taken, and they as follows:

Those who voted in the affirmative, are

The Hon ANGUS PATTERSON,

Messrs. B. G. Allston,

Black,  
Caldwell,  
Cannon,  
Cooper,  
Eaves,  
Evins,  
Gause,  
Gist,  
Goodwyn,

Messrs. Hanna,

Irby,  
Manning,  
Marshall,  
Moses,  
Porter,  
Skipper,  
Taylor,  
Ware,  
Isaac D. Wilson.

Those who voted in the negative, are

Messrs. R. F. W. Allston,

Appleby,  
Ashe,  
Barnes,  
Bull,

Messrs. Hibben,

Johnson,  
Mazyck,  
P. P. Palmer,  
J. S. Palmer,

Buchanan,  
DeTreville,  
Felder,  
Griffin,  
Grimball,

Perry,  
Quattlebaum,  
Ward,  
Williams,  
Witherspoon.

Ayes, 21—Nays, 20.

The resolution, offered by Mr. ALLSTON, was therefore agreed to. The question then recurred upon the report, and it was also agreed to.

The general orders were disposed of.

Mr. MOSES presented the unfavorable report of the committee on the Judiciary, on a resolution from the House of Representatives, directing the Treasurer to withhold the amount allowed to Sterling W. Rives, by the report of the committee on Accounts.

Mr. GOODWYN presented the unfavorable report of the committee on the Lunatic Asylum and Medical Accounts, on the report of the Medical committee of the House of Representatives, on the account of Dr. Daniel Flud, praying compensation for a post mortem examination. The reports were ordered for consideration to-morrow.

The same committee was discharged from the further consideration of the memorial of the citizens of the town of Columbia against the closing of Pickens Street.

Mr. MAZYCK offered the following resolution, which was agreed to.

*Resolved*, That the seat of the sitting member for St. James, Goose Creek, be vacated, and that a writ of election do issue for the election of a Senator for said Parish.

Mr. GIST offered the following resolutions, which were ordered for consideration to-morrow, and to be printed.

*Resolved*, That the report of the President of the Bank of the State in answer to a call for information, in relation to the Nesbit Iron Works, is unsatisfactory.

*Resolved*, That the President do forthwith proceed to close the sale and transfer of said Nesbit Works, by causing the necessary papers to be executed, and that he do deposit the bond or bonds required by the terms of the sale, in the Bank of the State, as a part of its assets; first collecting the interest which has accrued since the sale.

Leave of absence was granted to Mr. Evins, Senator from Pendleton, after this day, for the remainder of the session.

On motion of Mr. PORTER, the report of the committee on Claims of the House of Representatives, on the petition of Harmony Lodge No. 17, of Barnwell, praying payment for the use of their building as a Court room; was called from the table, and was referred to the committee on Claims and Grievances.

The Senate granted leave to Mr. Quattlebaum to withdraw from its files the following papers.

The petition of citizens of Beat No. 3, upper battalion of the 15th Regiment, praying a division of said Beat Company.

The petition of sundry citizens of Beat No. 3. of the upper battalion of the 15th Regiment, praying that the law may be so altered and amended, as to allow an additional Magistrate for said Beat.

The petition of sundry citizens of beats No. 2 and 4, of the upper battalion, and No. 3, of the lower battalion of the 15th Regiment, praying that the Field Officers of the Regiment, may be authorised so to divide the said beats, as to form an additional beat, to be attached to the upper battalion of that regiment.

The petition of sundry citizens of Lexington District, praying that the question of retailing ardent spirits, to be drank at the place where sold, may be determined by ballot, by the voters of the respective districts, cities, towns and villages.

On motion of Mr MARSHALL, it was ordered that when the Senate adjourns, it shall stand adjourned to meet to-morrow at 11 o'clock.

On motion of Mr. WITHERSPOON, the Senate adjourned at 12 minutes to 10 o'clock, P. M.

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### WEDNESDAY, DECEMBER 20, 1848.

The Senate met at 11 o'clock, pursuant to adjournment.

The Clerk read the journal of the proceedings of yesterday.

Mr. BLACK presented the report of the Committee on Accounts and Vacant Offices, on the report of the Committee on Accounts, of the House of Representatives, on the petition of J. D. Allen, administrator of O. D. Allen; which was ordered to be placed in the General Orders for this Day.

Also the report of the same Committee, recommending that an election be held forthwith, for Commissioner in Equity for Marlborough District.

The report being ordered for immediate consideration, a message was sent to the House of Representatives, proposing to go forthwith into said election.

Mr. TAYLOR presented the report of the Committee on Agriculture and Internal Improvements, on the report of the Committee on Internal Improvements of the House of Representatives, on the memorial of the citizens and Town Council of Hamburg, for improvement of navigation of Savannah river. The report was ordered to lie on the table, and the report of the Senate Committee, on the same subject, was called up from the table, and was placed in the General Orders for this day.

Mr. PORTER presented the favorable report of the Committee on Claims and Grievances, on the report of the Committee on Claims, of the House of Representatives, on the petition of Harmony Lodge, No. 17, of Barnwell District; also

The favorable report of the same Committee, on the account of Benjamin Hart, for incidental expenses of the State House; also

The favorable report of the same Committee, on the report of the Committee on Claims, of the House of Representatives, on the petition of N. G. W. Walker, praying payment for blankets, furnished the jail in Barnwell; all of which were ordered to be placed in the General Orders for this day.

Mr. HANNA presented the report of the special Joint Committee, on the part of the Senate, on the disbursement of the funds appropriated for the returning volunteers, and the disabled soldiers, and the widows and orphans of deceased volunteers, of the Palmetto Regiment; which was ordered to be placed in the General Orders for this day.

The House of Representatives sent to the Senate, for concurrence, the report of the Abbeville Delegation on the Annual Report and Return of the Trustees of the late Dr. John De La Howe; also

The report of the Committee on Accounts on the account of C. G. Memminger, Commissioner of the Deaf, Dumb, and Blind; which were referred to the Committee on the College, Education and Religion; also

The report of the Committee on Public Buildings, on a Resolution of enquiry as to the expediency of erecting rooms, in the place of the western portico of the State House, for the Legislative records; which was referred to the Committee on Roads and Buildings; also

The report of the special Committee on so much of the Governor's Message No. 3 as relates to papers in the Clerk's office of the House of Representatives; which was referred to the Committee on Claims and Grievances; also

The report of the Committee of Ways and Means on the petition of David Lopez, praying to be refunded a tax; and

The report of the same committee, on the petition of M. M. Levy, late sheriff of Kershaw District, praying to be refunded certain tax executions; which were referred to the Committee on Finance and Banks; also

The report of the same Committee, on the petition of A. M. Lowry, late

sheriff of Chesterfield District, praying to be refunded money paid on tax executions; which was referred to the same Committee; also

The report of the Medical Committee on the account of Dr. James O. Hagood; and

On the account of Dr. Henry Boyleston; which were referred to the Committee on the Lunatic Asylum and Medical Accounts.

The report of the committee on claims,

On the petition of Harman Gable, praying compensation for services rendered as a juryman.

On the account of C. Beck, for work done on the State House.

On the petition of Isham Boll, for services rendered as constable.

On the account of W. W. Purse, for work done in State House.

On the account of Thomas Merrit, for guarding prisoner.

On the account of William Merrit, for guarding prisoner.

On the account of T. W. Glover, for postage on writs of Elections.

On the account of Allen, McCarter & Co., for stationery furnished the House of Representatives.

On the account of A. S. Willington & Co. for public printing.

On the account of the Charleston Mercury, for advertising presentment of grand jury of Barnwell district.

On the account of S. A. Godman, for public printing.

On the account of E. Waterman, Jr. for public printing.

On the petition of J. S. Shingler, for compensation for conveying prisoners, for blankets furnished the jail, and for other services; all of which were referred to the committee on Claims and Grievances.

The following message was received from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES, }  
December 20, 1848. }

*Mr. President and Gentlemen of the Senate:*

This House asks leave of Senate to amend its resolution requiring those appointed to take the census of the free white inhabitants of the State, to ascertain and report the number of the deaf and dumb white persons under the age of twenty-one years, in the respective districts and parishes, by inserting after the word "under," the words "and over" the age of twenty-one years.

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

Which was concurred in, and a message was returned to the House of Representatives accordingly.

The House of Representatives returned to the Senate the following reports, in which it had concurred.

The report of the special Joint Committee of the Senate and House of

Representatives, on so much of the Governor's Message No. 3 as relates to military affairs ;

The report of the Committee on the Military and Pensions,

On a Resolution in relation to the uniform of the militia ;

The report of the same Committee on the petition of James Bennett, administrator of Reuben Bennett, praying for arrears of pension due his intestate ;

The report of the same Committee on the report of the Board of Visitors of the State Military Academies ;

The report of the Committee on the College, Education and Religion, on the memorial of the Commissioners of Free Schools for Pickens District, praying for relief ;

The report of the same Committee, on the petition of the Commissioners of Free Schools of St. George's, Dorchester, praying to be allowed the appropriation for 1847 ;

The report of the Committee on Claims and Grievances, on the petition of J. J. Waring, praying compensation for a slave executed ;

The report of the same Committee, on the account of Abner Bushnel, for coffins made for prisoners who died in jail, under sentence of the court ;

The report of the same Committee, on the account of the Daily Telegraph, for public printing ;

The report of the same Committee, on the account of Richard Holmes, for work done upon the cases for Senate papers ;

The report of the same Committee, on the petition of Richard Singleton, executor of John Singleton, praying compensation for slaves executed ;

The report of the same Committee, on the account of W. L. Robeson, for blankets furnished the jail of Chesterfield District ; in all of which that House had concurred.

Leave was granted to Mr. WITHERSPOON to withdraw from the files of the Senate the petition of James McCluney, praying a release of the right of the State to certain escheated property.

Leave was also granted to Mr. GRIFFIN, to withdraw from the files of the Senate the petition of the Commissioners of Public Buildings, for Edgefield District, praying an appropriation for a new jail.

The following message was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES, }  
December 20, 1848. }

*Mr. President, and Gentlemen of the Senate :*

This House concurs with Senate to go forthwith into a ballot for Commissioner in Equity for the District of Marlborough.

By order of the House,

JOHN IZARD MIDDLETON, Speaker.



The Senate concurred, and immediately thereupon joined the House of Representatives in balloting for Commissioner in Equity for Marlborough District.

Messrs. MOSES and P. P. PALMER were appointed the committee on the part of the Senate to count the votes.

The House of Representatives returned to the Senate

An Act to incorporate the Bradford Springs Female Institute Company, which had received 3 readings in the House of Representatives, and 3 readings in the Senate; it was referred to the committee on Incorporations and Engrossed Acts.

The Senate proceeded to the

#### GENERAL ORDERS OF THE DAY.

The report of the committee on Finance and Banks, on resolutions of the House of Representatives, in relation to the Bank of the State of South Carolina, was before the Senate for consideration.

Mr. GRIFFIN moved to lay the report of the committee on Finance and Banks, on the resolutions from the House of Representatives, on the table; which was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative are

The Hon. ANGUS PATTERSON, President,

Messrs. B. G. Allston,

Barnes,

Bull,

Cannon,

Cooper,

DeTreville,

Eaves,

Felder,

Gist,

Griffin,

Grimball,

Messrs. Hibben,

Johnson,

Marshall,

Mazyck,

P. P. Palmer,

J. S. Palmer,

Quattlebaum,

Ward,

Williams,

Witherspoon.

Those who voted in the negative, are

Messrs. R. F. W. Allston,

Ashe,

Black,

Buchanan,

Caldwell,

Ellerbe,

Gause,

Hanna,

Messrs. Manning,

Moses,

Perry,

Porter,

Skipper,

Taylor,

Isaac D. Wilson.

YEAS 22—NAYS 15.

The report of the committee on Finance and Banks, was therefore ordered to lie on the table.

Mr. BLACK moved that the resolutions from the House of Representatives be laid on the table; which was ordered to be decided by yeas and nays, and are as follows:

Those who voted in the affirmative are

|                                      |                  |
|--------------------------------------|------------------|
| The Hon. ANGUS PATTERSON, President, |                  |
| Messrs. R. F. W. Allston,            | Messrs. Manning, |
| Ashe,                                | Mazyck,          |
| Black,                               | Moses,           |
| Buchanan,                            | Perry,           |
| Caldwell,                            | Porter,          |
| Ellerbe,                             | Skipper,         |
| Gause,                               | Taylor,          |
| Hanna,                               | Isaac D. Wilson. |

Those who voted in the negative are

|                        |                   |
|------------------------|-------------------|
| Messrs. B. G. Allston, | Messrs. Grimbail, |
| Barnes,                | Hibben,           |
| Bull,                  | Johnson,          |
| Cannon,                | Marshall,         |
| Cooper,                | P. P. Palmer,     |
| DeTreville,            | John. S. Palmer,  |
| Eaves,                 | Quattlebaum,      |
| Felder,                | Ward,             |
| Gist,                  | Williams,         |
| Griffin,               | Witherspoon.      |

YEAS 17—NAYS 20.

The motion to lay the resolutions on the table was therefore lost, and the resolutions were concurred in, and were ordered to be returned to the House of Representatives.

The resolutions are as follows:

1. *Resolved*, That it is unwise and inexpedient for a State to engage in Banking, or to subject its resources to the casualties of Banking institutions.

2. *Resolved*, That the Bank of the State is founded on this erroneous policy, and exposes the public treasury and the public faith to the hazards incident to Banks.

3. *Resolved*, That it is inexpedient to re-charter the Bank of the State. And it is declared that this General Assembly does not regard such a declaration of opinion as calculated or intended to violate the faith of the State, or the security of the foreign creditor.

The report of the committee on Finance and Banks, on resolutions of

the Senate, in relation to the private report of the President of the Bank of the State of South Carolina, was

On motion of Mr. QUATTLEBAUM, ordered to lie on the table.

The same committee was discharged from the further consideration of the memorial of the South Carolina Rail Road Company, on the funding of its debt to the State.

The report of the committee of Ways and Means of the House of Representatives, on the petition and account of the Commissioners of the Poor for Georgetown District, was concurred in, and returned to the House of Representatives.

The general orders were suspended, and

Mr. P. P. PALMER, from the committee to count the ballots for Commissioner in Equity for Marlborough District, reported

That Thomas Cook had received a majority of votes, and was therefore duly elected.

Mr. WITHERSPOON presented the report of the committee on Roads and Buildings, on the report of the committee on Public Buildings, on a resolution providing for building a room for Legislative records; and

Mr. GOODWYN presented the report of the committee on the Lunatic Asylum and Medical Accounts, on the report of the Medical committee of the House of Representatives, on the petition of Dr. James O. Hagood, praying compensation for services rendered a poor prisoner in jail; which were placed in the general orders for this day.

The Senate resumed the

#### GENERAL ORDERS OF THE DAY.

The report of the committee on Privileges and Elections, on the petition of sundry citizens of St. Luke's parish, contesting the election of the sitting member for said parish, was ordered to lie on the table.

Mr. DeTREVILLE offered the following preamble and resolution, which were agreed to :

WHEREAS, the protestants in the matter of the contested election of St. Luke's parish, have failed to prove a sufficient number of illegal votes to invalidate the said election,

*Therefore, Resolved*, That the protest be discharged, and the sitting member be confirmed in his seat.

The following resolution and amendment were before the Senate for consideration :

*Resolved*, That a committee of investigation be appointed for the principal Bank of the State of South Carolina, in Charleston, and a committee for each of the branches of said Bank, in accordance with the provisions of the Act to amend the charter of the Bank of the State, passed on the eighteenth

of December, 1824; and that the said committees shall have power to send for persons and papers, and to take testimony on oath; and that the members of said committees shall receive for their services, whilst engaged in such investigations, three dollars per diem, each, and ten cents per mile, in payment of their travelling expenses.

Mr. DETREVILLE moved the following amendment:

And that the said committee be instructed to ascertain and report to this General Assembly, without any mention of names, what amount is due in each District of the State, and by how many debtors in each District, classifying the debtors according to their business and occupation.

The amendment was agreed to, and a message was sent to the House of Representatives, asking leave to amend the resolution accordingly. To this message the House of Representatives returned the following reply:

IN THE HOUSE OF REPRESENTATIVES, }  
December 20, 1848. }

*Mr. President and Gentlemen of the Senate—*

This House grants leave to Senate to amend the resolution of this House, appointing committees of investigation for the Bank of the State and its branches, by adding the following words, viz: "And that the said committees be instructed to ascertain and report to this General Assembly, without any mention of names, what amount is due in each District in the State, and by how many debtors in each District, classifying the debtors according to their business and occupation."

By order of the House.

JOHN IZARD MIDDLETON, Speaker.

The resolution was amended accordingly.

Mr. BLACK moved to amend the resolution, by striking out the provision for compensation to the Committees for their services, which question was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative are—

Messrs. Black,  
Hanna,  
Irby,  
Manning,  
Mazyck,

Messrs. Moses,  
Skipper,  
Taylor,  
Ware,  
Isaac D. Wilson.

Those who voted in the negative are—

|                                  |                  |
|----------------------------------|------------------|
| Hon. ANGUS PATTERSON, President, |                  |
| Messrs. R. F. W. Allston,        | Messrs. Goodwyn, |
| B. G. Allston,                   | Griffin,         |
| Ashe,                            | Grimball,        |
| Bull,                            | Hibben,          |
| Buchanan,                        | Johnson,         |

Cannon,  
Cooper,  
DeTreville,  
Eaves,  
Ellerbe,  
Felder,  
Gause,

Marshall,  
John S. Palmer,  
Porter,  
Quattlebaum,  
Ward,  
Williams,  
Witherspoon.

Ayes 10, Nays 25.

The motion was therefore lost.

Before the question of concurring in the amendment was taken, a call of the Senate was ordered, and the following Senators answered to their names: and the absent Senators were summoned.

The Hon. ANGUS PATTERSON, President,

Messrs. R. F. W. Allston,

Messrs. Hanna,

B. G. Allston,

Hibben,

Ashe,

Irby,

Barnes,

Johnson,

Black,

Marshall,

Buchanan,

Mazyck,

Caldwell,

Moses,

Cannon,

P. P. Palmer,

DeTreville,

J. S. Palmer,

Eaves,

Porter,

Ellerbe,

Quattlebaum,

Felder,

Skipper,

Gause,

Taylor,

Goodwyn,

Williams,

Griffin,

Isaac D. Wilson.

Grimball,

Witherspoon.

On the question of concurring in the resolution as amended, the yeas and nays were ordered to be taken, and they are as follows:

Those who voted in the affirmative are—

Hon. ANGUS PATTERSON, President,

Messrs. B. G. Allston,

Grimball,

Ashe,

Hibben,

Barnes,

Johnson,

Black,

Marshall,

Bull,

Moses,

Buchanan,

P. P. Palmer,

Caldwell,

John S. Palmer,

Cannon,

Porter,

DeTreville,

Quattlebaum,

Eaves,

Skipper,

Felder,  
Gause,  
Goodwyn,  
Griffin,

Taylor,  
Ware,  
Williams,  
Witherspoon.

Those who voted in the negative are—

Messrs. R. F. W. Allston,  
Ellerbe,  
Hanna,

Messrs. Irby,  
Mazyck,  
Isaac D. Wilson.

Ayes 29, Nays 6.

The resolution was therefore concurred in, and was ordered to be returned to the House of Representatives.

The report of the Committee on the Judiciary on the reports of the Circuit Solicitors on district offices and officers, was ordered to lie on the table.

The following reports were concurred in, and were ordered to be returned to the House of Representatives:

The report of the Committee on the Judiciary on the petition of A. E. Miller, praying aid in the publication of a compilation for the use of Sheriffs, Clerks and Commissioners.

The report of the committee on Claims, of the House of Representatives, on the account of Edward Sill, for public printing.

The report of the same committee, on the account of A. S. Johnston for books furnished for the State, and for balance due him, as printer of the Senate.

The report of the committee on Agriculture and Internal Improvements, on the memorial of the Town Council of Hamburg and the citizens thereof, for an appropriation for improving the navigation of Broad River, was, on motion of Mr. CANNON, ordered to lie on the table.

The report of the Special committee on the report of the Special committee of the House of Representatives, on so much of the Governor's Message as relates to the erection of a Monument to the officers and soldiers who fell in the Mexican war, was, on motion of Mr. QUATTLEBAUM, ordered to lie on the table.

The general orders were suspended, and the House of Representatives sent to the Senate for concurrence, the report of the Special Joint Committee on the disbursement of funds appropriated for the returning volunteers and the disabled soldiers, and widows and orphans of deceased volunteers of the Palmetto Regiment, and the report being ordered for immediate consideration, it was concurred in, and was ordered to be returned to the House of Representatives.

The Senate resumed the

## GENERAL ORDERS OF THE DAY.

The unfavorable report of the committee on Claims and Grievances, on the account of John Lomas & Co., for compensation for time lost in work on a Court House, suspended by order of a Chancellor, was agreed to.

The general orders were again suspended, and Mr. GRIFFIN, from the committee on Incorporations and Engrossed Acts, reported that the Acts which had passed the General Assembly at the present Session, had been engrossed, and were now ready for ratification. A message was thereupon sent to the House of Representatives, inviting that House to attend in the Senate Chamber, at 8 o'clock P. M., to ratify the Acts. A message was received from the House of Representatives in reply, to the effect that the House of Representatives would be ready to attend in the Senate Chamber at 8 o'clock, accordingly.

Mr. MOSES offered the following resolution, which was agreed to :

*Resolved*, That William E. Richardson, E. J. Pugh and John Nettles, be appointed commissioners to assess the damages which have accrued to Willis Ramsay, by a public road having been laid out through his land ; and that they report the result of their examination to the Senate at its next sitting.

The Senate resumed the

## GENERAL ORDERS OF THE DAY.

A resolution from the House of Representatives appointing a committee to enquire into the propriety of removing certain papers in the office of Secretary of State, was concurred in, and was ordered to be returned to the House of Representatives.

The report of the committee on Claims and Grievances, on the account of Benjamin Hart for incidental expenses of the State House, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

Resolutions in relation to the answer of the President of the Bank of the State, on the sale of the Nesbitt Manufacturing Works, were, on motion of Mr. MAZYCK, ordered to lie on the table.

The report of the Special Committee on the part of the Senate, on the accounts of the Executive Department, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The following reports were concurred in, and were ordered to be returned to the House of Representatives.

The reports of the committee on Claims, of the House of Representatives, on sundry accounts of the Charleston Mercury, for public printing.

On the account of the South Carolina Temperance Advocate.

On the petition of N. G. W. Walker, for payment for blankets for the Jail of Barnwell.

On the account of Thomas J. Gantt, Clerk of the Court of Appeals, at Charleston.

On the account of Lewis L. Shelton, for board of sick volunteers of the Palmetto Regiment.

On the petition of B. K. Henegan, Secretary of State.

On the account of Allen, McCarter & Co.

On the account of A. S. Willington & Co., for public printing.

A Resolution requiring the Treasurer of the South Carolina College to print and distribute a statement of receipts and disbursements, was concurred in, and was ordered to be returned to the House of Representatives.

The unfavorable report of the committee on the Judiciary, on a resolution from the House of Representatives, directing the Treasurer to withhold a certain sum of money ordered to be paid to Sterling W. Rives, by the report of the committee on Accounts of the House of Representatives; and

The unfavorable report of the committee on the Lunatic Asylum and Medical Accounts, on the report of the Medical committee of the House of Representatives, on the account of Dr. Daniel Flud; were agreed to by the Senate.

The report of the Joint Special committee on the part of the Senate, on the disbursement of the funds for the volunteers returning from Mexico, and the disabled soldiers, and the widows and orphans of deceased volunteers, was ordered to lie on the table.

The report of the committee on accounts of the House of Representatives, on the account of J. D. Allen, administrator of O. D. Allen, former Clerk of Barnwell, was concurred in, and ordered to be returned to the House of Representatives.

The general orders were again suspended.

Mr. GOODWYN presented the favorable report of the committee on the Lunatic Asylum and Medical Accounts, on the report of the Medical committee of the House of Representatives on the account of Dr. Boylston, for medical services to the Palmetto Regiment, while at the rendezvous in Charleston.

Mr. WITHERSPOON presented the favorable report of the committee on Roads and Buildings, on the report of the committee on Public Buildings, of the House of Representatives, on a resolution for providing for erecting a room for the Legislative Records.

Mr. BUCHANAN presented the report of the committee on Finance and Banks, on the reports of the committee of Ways and Means, of the



House of Representatives, on the petition of David Lopez, praying to be refunded a tax.

On the petition of M. M. Levy, praying to be refunded certain tax executions.

On the petition of A. M. Lowry, late Sheriff of Chesterfield, praying to be refunded money paid on tax executions ; all of which were placed in the general orders for this day.

Mr. PORTER presented the reports of the committee on Claims and Grievances on the reports of the committee on Claims, of the House of Representatives, on the petition of Harmony Lodge, No. 17, of Barnwell.

On the account of T. W. Glover, Clerk of the House of Representatives, for postage paid on writs of election.

On the account of Thomas Merritt, for guarding a prisoner.

On the petition of J. S. Shingler, Sheriff of Charleston.

On the petition of Isham Bolt, for compensation as a constable.

On the report of the Special Committee of the House of Representatives, on so much of the Governor's Message No. 3, as relates to the papers in the Clerk's Office of the House of Representatives ; which were placed in the general orders for this day.

Mr PORTER also presented the reports of the committee on Claims and Grievances—

On the report of the committee on claims of the House of Representatives, on the account of C. Beck, for work done in the State House.

On the report of the same committee, on the account of the Charleston Mercury, for advertising presentment of the grand jury of Barnwell district.

On the report of the same committee, on the account of William Merritt, for guarding a prisoner.

On the report of the same committee, on the account of S. A. Godman, for public printing.

On the report of the same committee, on the account of A. S. Willington & Co. for public printing.

On the report of the same committee, on the account of Allen, McCarter & Co. for stationary for the House of Representatives.

On the report of the same committee, on the account of Harmon Gable, for services as a juryman ; which were placed in the general orders for this day.

Mr. R. F. W. ALLSTON presented the report of the committee on the College, Education and Religion, on the report of a committee of the House of Representatives, consisting of the Abbeville delegation in that House, on the report and return of the Trustees of the De La Howe School ; and

On the report of the committee on Accounts of the House of Representatives, on the account of C. G. Memminger, commissioner for the education

of the deaf, dumb, and blind. The reports were placed in the general orders for this day.

The Senate resumed the

#### GENERAL ORDERS OF THE DAY.

The following reports were concurred in, and were ordered to be returned to the House of Representatives :

The report of the committee on Public Buildings, on a resolution of enquiry, as to the expediency of erecting rooms in the place of the western portico of the State House, for the Legislative records.

The report of the committee of Ways and Means of the House of Representatives, on the petition of David Lopez, praying to be refunded a Tax.

The report of the same committee, on the petition of A. M. Lowry, late Sheriff of Chesterfield District, praying to be refunded money paid on tax executions.

The report of the committee on Claims of the House of Representatives, on the account of T. W. Glover, for postage on writs of election.

On the petition of Harmony Lodge No. 17 of Barnwell District, for compensation for the use of their building as a Court Room.

The report of the same committee, on the petition of Isham Bolt, for compensation for services rendered as Constable.

The report of the same committee, on the petition of J. S. Shingler, Sheriff of Charleston.

The report of the same committee, on the account of Thomas Merritt, for guarding a prisoner

The report of the special committee, on so much of the Governor's Message No. 3, as relates to the papers in the Clerk's office of the House of Representatives.

The report of the Abbeville delegation, on the annual report and return of Trustees of Dr. John De La Howe.

The report of the committee on Accounts, on the account of C. G. Memminger, commissioner of the deaf, dumb, and blind.

The unfavorable report of the committee on Finance and Banks, on the report of committee on Ways and Means of the House of Representatives, on the petition of M. M. Levy, praying to be refunded certain Tax executions, was agreed to.

The general orders were suspended, and the Senate, at 3 o'clock, P. M., on motion of Mr. MAZYCK, receded from business until 7 o'clock, P. M.

#### RECESS.

At the hour of 7 o'clock, the President resumed the chair, and the Senate proceeded to business.

The Senate resumed the

#### GENERAL ORDERS OF THE DAY.

The following reports were concurred in, and were ordered to be returned to the House of Representatives:

The report of the Medical committee of the House of Representatives, on the account of Dr. James O. Hagood.

The report of the same committee, on the account of Dr. Henry Boylston.

The report of the committee on Claims, on the account of C. Beck, for work done on the State House.

The report of the same committee, on the account of the Charleston Mercury, for advertising a presentment of the Grand Jury of Barnwell District.

The report of the same committee, on the account of William Merrit, for guarding a prisoner.

The report of the same committee, on the account of S. A. Godman, for public printing.

The report of the committee on Claims, on the account of A. S. Willington & Co. for public printing.

The report of the same committee, on the account of C. Waterman, for public printing.

The report of the same committee, on the account of Allen, McCarter & Co. for stationary for the House of Representatives.

On the petition of Harmon Gable, praying compensation for serving as a jurymen.

Mr. BLACK called up from the table the report of the committee on Roads and Buildings, on the report of the committee on Public Buildings of the House of Representatives, on the petition of citizens of Columbia, praying permission to erect a fire proof building on the Court House lot, in Columbia, for a Post Office; and the report of the committee of the House of Representatives was concurred in, and was ordered to be returned to the House of Representatives.

Mr. TAYLOR moved a reconsideration of the vote taken this morning upon the unfavorable report of the committee on Finance and Banks, on the report of the committee of Ways and Means of the House of Representatives, on the petition of M. M. Levy, Sheriff of Kershaw District, praying to be refunded certain tax executions.

On motion of Mr. TAYLOR, the report of the committee on Finance and Banks was ordered to lie on the table, and the report of the committee of the House of Representatives was concurred in, and returned to the House of Representatives.

On motion of Mr. PORTER, the favorable report of the committee on Claims and Grievances, on the report of the committee on Claims of the House of Representatives, on the petition of R. Q. Pinckney, praying to be allowed to finish indexing the records in the office of Secretary of State,

or to be paid for the work which he has done, was taken from the table. The report of the committee of the House of Representatives being before the Senate, Mr. MARSHALL moved that it lie on the table, which question was ordered to be decided by yeas and nays, and they are as follows.

Those who voted in the affirmative are

Messrs. Barnes,  
Black,  
Buchanan,  
Caldwell,  
Cannon,  
Cooper,  
Eaves,  
Felder,  
Gist,  
Irby,

Messrs. Johnson,  
Marshall,  
Moses,  
Quattlebaum,  
Skipper,  
Taylor,  
Ware,  
Izaac D. Wilson, and  
Witherspoon.

Those who voted in the negative are

The Hon. ANGUS PATTERSON, President,

Messrs. R. F. W. Allston,  
B. G. Allston,  
Ashe,  
Gause,  
Goodwyn,  
Grimball,  
Hanna,

Messrs. Hibben,  
Mazyck,  
P. P. Palmer,  
John S. Palmer,  
Porter,  
Ward,  
Williams.

YEAS 19—NAYS 15.

The motion was therefore carried, and the report was ordered to lie on the table.

The House of Representatives sent to the Senate—

The report of the Committee of Ways and Means of the House of Representatives, on the Message No. 3, relative to the Catawba Indians, and also on the petition of certain Catawba Indians; and also

The report of the Committee on Privileges and Elections, recommending the appointment of managers of elections, the establishment of election grounds, &c.

The report of the Committee on Claims on the account of J. L. Murphy, for ironing prisoners; and the reports being ordered for immediate consideration, they were concurred in, and were ordered to be returned to the House of Representatives.

The House of Representatives returned to the Senate the following Reports and Resolutions, in which it had concurred.

The report of the Committee on Agriculture and Internal Improvements on Tuomey's Geology of South Carolina;

The report of the Committee on Claims and Grievances, on the account of T. N. Pettus, for services rendered the State;

On the petition of J. S. Shingler, sheriff of Charleston District, praying compensation for carrying prisoners, for blankets furnished the jail, and for other services;

On the account of W. W. Purse, for work done in the State House ;

On the account of B. Hart, for incidental expenses of State House ;

On the account of the Clerk of the Senate, for stationery and binding of books.

The report of the Committee on the College, Education, and Religion,

On the presentment of the Grand Jury of Pickens, on the distribution of the Free School fund ;

On the report of the Vestry of St. James, Goose Creek, on the Ludlam School fund.

The report of the Committee on the Lunatic Asylum and Medical Accounts,

On the account of Dr. H. Boyleston, for medical services to members of the Palmetto Regiment, while at the rendezvous, in Charleston.

The report of the Committee on Finance and Banks,

On the petition of the Commissioners of the Poor, for Georgetown District;

On the petition of Alfred M. Lowry, late sheriff of Chesterfield District, praying that moneys, erroneously paid by him to Treasurer, be refunded.

Report of the Special Joint Committee, on the part of the Senate, on the accounts of the Executive.

Report of the Committee on Finance and Banks, on the petition of John L. Hart, praying to be refunded a tax improperly paid.

The report of the committee on Accounts and Vacant Offices, on the contingent accounts against the Lower Division of the Treasury.

The House of Representatives also returned to the Senate, a resolution instructing the persons appointed to take the census of this State, to ascertain and report the number of deaf and dumb white persons under and over the age of 21 years, in their respective Districts and Parishes.

At the hour of 8 o'clock, the speaker, and members, and officers of the House of Representatives, attended in the Senate Chamber, and the two Houses proceeded to ratify the following Acts, which had been passed by the General Assembly at the present Session :

1. An Act to incorporate the King's Mountain Rail Road Company.
2. An Act to incorporate the Laurel Falls Manufacturing Company.
3. An Act to abolish the office of Superintendent of Public Works, and for other purposes.
4. An Act to confirm a grant to James M. Harris, which by mistake was issued to James W. Harris.

5. An Act to aid in the construction of the Wilmington and Manchester Rail Road.

6. An Act to incorporate the Town of Winnsboro.'

7. An Act to afford aid in constructing the Rail Roads from Columbia to Greenville and Charlotte.

8. An Act to authorize and empower the Commissioners of Free Schools of the Parishes of St. Philip and St. Michael, to raise a fund for the building of Free School Houses, and for other purposes.

9. An Act to amend An Act, entitled, "An Act more effectually to prevent free negroes and other persons of color from entering into this State, and for other purposes;" passed the 19th day of December, 1835.

10. An Act to amend an Act, entitled, "An Act to grant the use of a vacant lot in the Town of Columbia, to the Palmetto Lodge, No. 5, of the Independent Order of Odd Fellows, on certain conditions," passed 17th day of December, 1847.

11. An Act to declare Poke Swamp, in St. George's Parish, a navigable stream.

12. An Act to vest the right and title of the State, in and to the estate of Elizabeth H. Kerr, deceased, in Hamilton H. Boland.

13. An Act to establish the allowance of days of grace upon Bills of Exchange at sight.

14. An Act to alter the sittings of the Court of Equity in the third Circuit, and to establish a Court of Equity in Marlborough District.

15. An Act to authorize the United States to purchase a sufficient quantity of land in this State for the erection of a Custom House, and for other purposes.

16. An Act to raise supplies for the year commencing in October, one thousand eight hundred and forty-eight.

17. An Act to incorporate certain Societies and Companies, and to renew certain charters heretofore granted.

18. An Act to amend the charter of the Spartanburg and Union Rail Road Company.

19. An Act to authorize the admission of persons of color into the Lunatic Asylum, and for other purposes.

20. An Act to incorporate the Greenville Rail Road Company.

21. An Act to amend an Act entitled, "An Act to incorporate the Laurens Rail Road Company."

22. An Act to incorporate the Keowee Turnpike Company.

23. An Act to amend the law in relation to the education of the deaf and dumb and blind children of this State.

24. An Act directing the census to be taken of the free white inhabitants of this State.

25. An Act to provide for a special election of Tax Collector, for Laurens District.

26. An Act to provide for the funding the debt of the South Carolina Rail Road Company.

27. An Act to establish certain Roads, Bridges and Ferries.

28. An Act to produce conformity in the charters granted to the Charlotte and South Carolina Rail Road Company, by the States of North and South Carolina.

29. An Act to increase the powers of the Town Council of Columbia.

30. An Act to make appropriations for the year commencing in October, one thousand eight hundred and forty-eight.

31. An Act to incorporate the Bradford Springs Female Institute Company.

The House of Representatives sent to the Senate, for concurrence, the report of the Committee on Vacant Offices, appointing Commissioners of Free Schools, Commissioners of Roads, and other District officers, &c.

The Senate sent to the House of Representatives a message, asking leave to amend the report as follows.

So far as it relates to the parish of St. John's, Colleton, by inserting after the words "Commissioner of Roads," "Jno. Whaley *vice* Isaac Wilson," in lieu of the words "strike out Isaac Wilson, and insert Jno. Whaley;" and so far as it relates to the District of Chesterfield, by inserting before the name of W. L. J. Reed, the words "Managers of Elections at Cheraw;" and so far as it relates to the District of Lancaster, by inserting the words "Commissioners of Fish Sluices, Jno. S. Perry, Jno. Houze;" and so far as relates to the District of Union, by striking out all that refers to managers of elections, and places and times of elections; and so far as it relates to the District of Sumter, by striking out the word "Parish" wherever it occurs, and inserting the word "County;" and also inserting the following words "Addison Stuckey, Magistrate for Beat No. 3, 20th Regiment, Sumter District, *vice* Jno. Crosswell, about to leave the District;" and so far as it relates to Newberry District, by adding the words "Manager of Elections at Newberry Court House, B. J. Ramage *vice* H. K. Boyd."

To which the House of Representatives returned the following reply:

IN THE HOUSE OF REPRESENTATIVES. }  
December 20, 1848. }

*Mr. President and Gentlemen of the Senate:*

This House grants leave to Senate to amend the report of committee on Vacant Offices, so far as it relates to the Parish of St. John's, Colleton, by inserting after the words "Commissioner of Roads," "Jno. Whaley *vice* Isaac Wilson," in lieu of the words "strike out Isaac Wilson and insert Jno. Whaley;" and so far as it relates to the District of Chesterfield, by inserting before the name of W. L. J. Reed, the words "Managers of Elections at Cheraw;" and so far as it relates to the District of Lancaster, by inserting the words "Commissioners of Fish Sluices, Jno. S. Perry, Jno.

Houze;" and so far as relates to the District of Union, by striking out all that refers to managers of elections, and places and times of elections; and so far as it relates to the District of Sumter, by striking out the word "Parish," wherever it occurs, and inserting the word "County," and also inserting the following words: "Addison Stuckey, Magistrate for Beat No. 3, 20th Regiment, Sumter District, *vice* Jno. Crosswell, about to leave the District;" and so far as it relates to Newberry District, by adding the words "Manager of Elections at Newberry Court House, B. J. Ramage *vice* H. K. Boyd."

By order of the House.

JOHN IZARD MIDDLETON, Speaker.

The report was then amended in pursuance to the leave granted, and as amended, was concurred in and returned to the House of Representatives.

The following message was received from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES, }  
December 20, 1848. }

*Mr. President and Gentlemen of the Senate:*

This House asks leave of Senate to amend Senate's Committee's report on the College and Education, by annexing to the schedule accompanying said report, returns of Commissioners of Free Schools, as follows, viz:

| <i>Districts &amp; Parishes.</i> | <i>No. of Schools.</i> | <i>No. of Teachers.</i> | <i>No. of Scholars.</i> | <i>Amount appropriated.</i> | <i>Amount expended.</i> |
|----------------------------------|------------------------|-------------------------|-------------------------|-----------------------------|-------------------------|
| Marlborough.....                 | 23.....                | 23.....                 | \$290.....              | \$600.....                  | \$710 19                |
| St. John's, Coll..               | 6.....                 | 6.....                  | .....                   | 300.....                    | 123 20                  |
| All Saints.....                  | 9.....                 | 4.....                  | 89.....                 | 300.....                    | 325 00                  |
| Horry, King Par.                 | 30.....                | 16.....                 | 102.....                | 300.....                    | 249 50                  |
| St. Helena.....                  | 1.....                 | 1.....                  | .....                   | 300.....                    | 300 00                  |
| Marion.....                      | .....                  | .....                   | 300.....                | 900.....                    | 973 17                  |

For 1847.

|                   |         |         |          |           |         |
|-------------------|---------|---------|----------|-----------|---------|
| Abbeville.....    | 55..... | 55..... | 309..... | 1500..... | 1811 98 |
| St. George's Dor. | 14..... | 14..... | 92.....  | 300.....  | 302 86  |
| Pickens.....      | 39..... | 39..... | 148..... | 1050..... | 886 00  |

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

The Senate returned a message granting leave to the House of Representatives to amend the report accordingly.

The following message was received from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES, }  
December 20, 1848. }

*Mr. President and Gentlemen of the Senate:*

This House asks leave of Senate to amend Senate's Committee's report on the College, Education and Religion, by striking out the following Resolution.



*"Resolved,* That the Attorney General be instructed to enquire into, and report to this Legislature, the condition of the fund originating in the legacy of John Childs, for establishing a Free School at 'Childsbury town;' whether or not it be available at present; and, if not, by what means it may be made so."

By order of the House.

JOHN IZARD MIDDLETON, Speaker.

The Senate concurred, and returned a message accordingly.

The following message was received from the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES, }  
December 20, 1848. }

*Mr. President and Gentlemen of the Senate ;*

This House asks leave of Senate to amend the report of Senate's Committee, in relation to the records in the office of the Clerk of the Senate, by substituting, in lieu of the second Resolution, the following, viz.

*"Resolved,* That until the new apartment, proposed to be built for the records, be made, the Clerk of the Senate do deposit the Senate books and records in the Solicitor's room; and after such apartment shall be made, then that they be deposited, in proper cases, in such apartment."

By order of the House,

JOHN IZARD MIDDLETON, Speaker.

The Senate granted leave, and sent a message accordingly.

The House of Representatives sent to the Senate, for concurrence, the report of the Committee on the Judiciary on so much of the Governor's Message No. 1 as relates to the republication of the tenth volume of the Statutes at Large; which was referred to the Committee on the Judiciary; and also

Resolutions relative to the Court House of Newberry District; which were referred to the Committee on Roads and Buildings; and also

A Resolution requiring the Treasurer of the College to pay the surplus tuition fund into the State Treasury; and also

A Resolution requesting our Senators and Representatives in Congress to assist in the elevation of the moral and intellectual improvement of the aboriginal inhabitants of this continent; both of which resolutions were ordered to lie on the table.

The House of Representatives returned to the Senate the report of the Committee on the College, Education and Religion, on the returns of the several Commissioners of Free Schools;

The report of the special Committee of the Senate, on the Senate records; both of which reports had been amended, by leave of Senate, by the House of Representatives, and concurred in by that House.

The Senate granted leave to Mr. MAZYCK to withdraw from its files

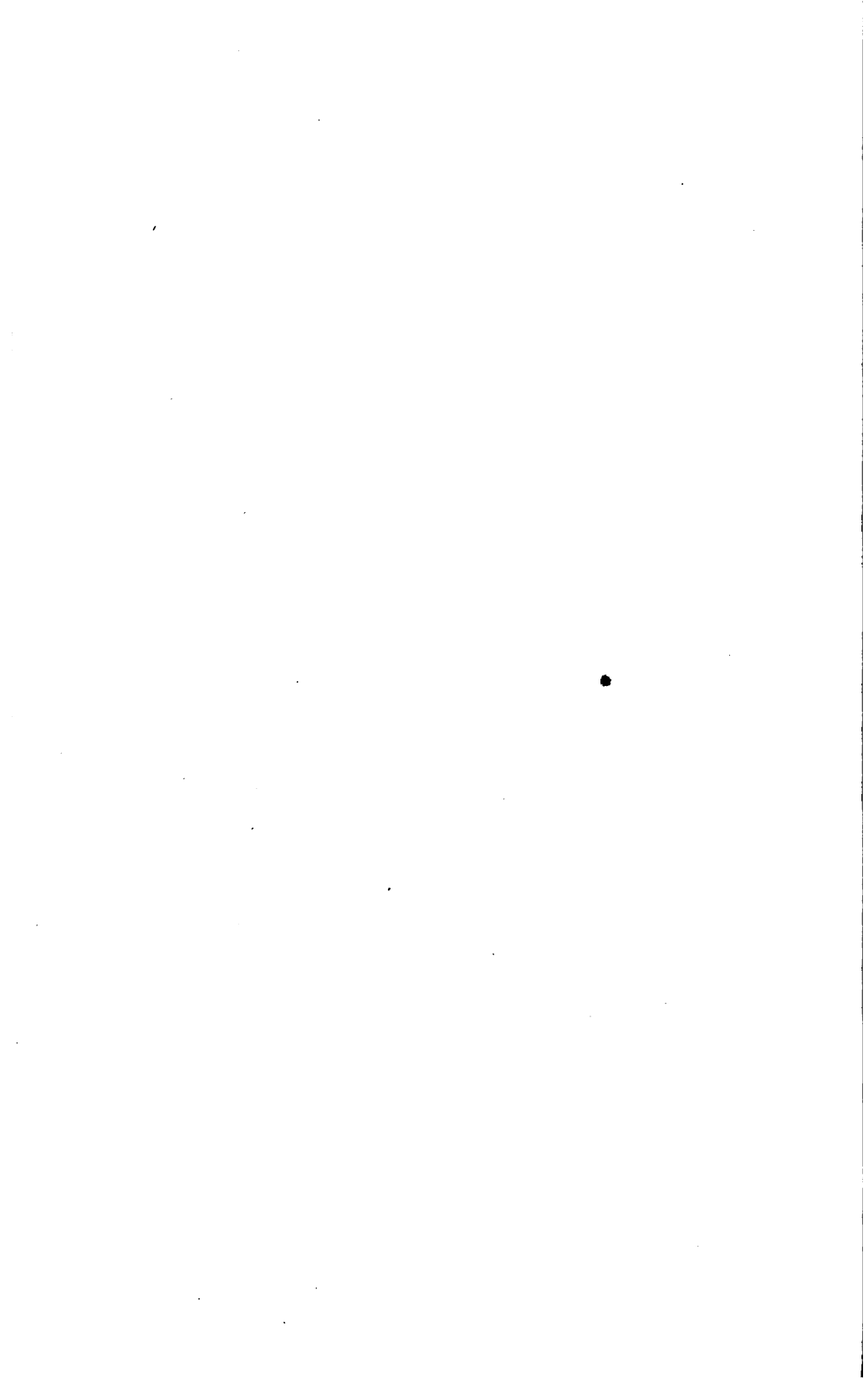
the petition of Dr. Peter Porcher, praying compensation for a post mortem examination, with accompanying papers.

Mr. BLACK offered the following Resolution, which was agreed to.

*Resolved*, That the Committee on Claims and Grievances report to this House, at an early day of the next session, the amount which R. Q. Pinckney is fairly entitled to, for indexing and transcribing the books belonging to the Secretary of State's office, and any fact which may enable the Senate to decide understandingly.

A message was received from the House of Representatives to the effect that that House had disposed of the business before it, and was then ready to adjourn the present session of the General Assembly, *sine die*.

A message to the same effect was sent to the House of Representatives from the Senate, and, on motion of Mr. MOSES, the Senate, at 16 minutes past 11 o'clock, adjourned, *sine die*.



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| Received third reading, passed, title changed, and returned to the House of Representatives,-----                                                                                                                                                                                                | 159   |
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| Received second reading, and returned to House of Representatives,.....                                                                                                                                                                                        | 149   |
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| A Bill to amend an Act entitled, "An Act to incorporate the Laurens Rail Road Company." Received the first reading, and referred to the Committee on Incorporations and Engrossed Acts,.....                                                                   | 144   |
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| A Bill to make appropriations for the year commencing in October one thousand eight hundred and forty-eight. Received the first reading, and referred to the Committee on Finance and Banks,.....                                                              | 144   |
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| A Bill to Incorporate certain Societies and Companies, and to renew and amend certain Charters, heretofore granted, and for other purposes; received the first reading, and referred to the Committee on Incorporations and Engrossed Acts,.....                                     | 144     |
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| Ratified,.....                                                                                                                                                                                                                                                                       | 187     |
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| Ratified,.....                                                                                                                                                                                                                                                                       | 187     |
| A Bill to authorize the admission of persons of color into the Lunatic Asylum. Received the first reading, and referred to the Committee on the Lunatic Asylum and Medical Accounts,....                                                                                             | 145     |
| Received second reading, and returned to House of Representatives,.....                                                                                                                                                                                                              | 150     |
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| Ratified,.....                                                                                                                                                                                                                                                                       | 187     |
| A Bill to amend the Charter of the Spartanburg and Union Rail Road Company. Received the first reading, and referred to the Committee on Incorporations and Engrossed Acts,.....                                                                                                     | 145     |
| Received second reading, and returned to the House of Representatives,.....                                                                                                                                                                                                          | 150     |
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## BILLS—SENATE.

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| A Bill to restrain the issue of small Bank bills, and for other purposes. Introduced by Mr. Felder. Received the first reading, and referred to the Committee on Finance and Banks,-----                                                                                                                                            | 35          |
| Unfavorable Report of the Committee agreed to, and Bill rejected,-----                                                                                                                                                                                                                                                              | 69          |
| A Bill to give the election of Electors of President and Vice President of the United States to the people. Introduced by Mr. Black. Received the first reading, and referred to the Committee on Privileges and Elections, and ordered to be printed,-----                                                                         | 36          |
| Made the Special order for to-morrow,-----                                                                                                                                                                                                                                                                                          | 101-106-114 |
| Postponed to first day of January, by Yeas and Nays, 115-116-117                                                                                                                                                                                                                                                                    |             |
| A Bill to give the election of Commissioners in Equity to the people. Introduced by Mr. Johnson. Received the first reading, and referred to the Committee on the Judiciary,-----                                                                                                                                                   | 37          |
| Indefinitely postponed,-----                                                                                                                                                                                                                                                                                                        | 69          |
| A Bill to alter and amend the Constitution, so as to change the name of the Election District of Saxe Gotha, to that of Lexington. Introduced by Mr. Quattlebaum. Received the first reading, and referred to the Committee on the Judiciary,-----                                                                                  | 40          |
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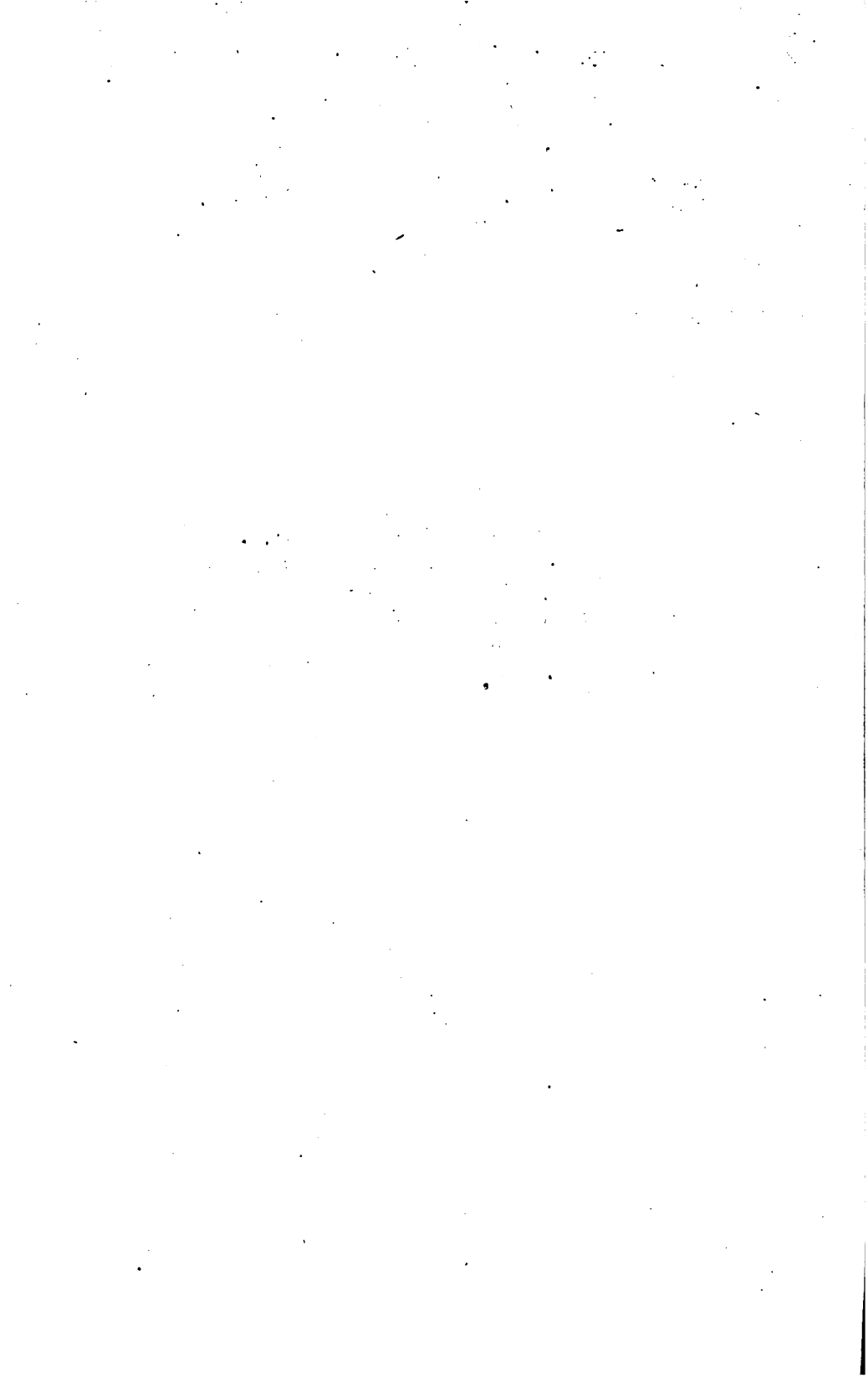
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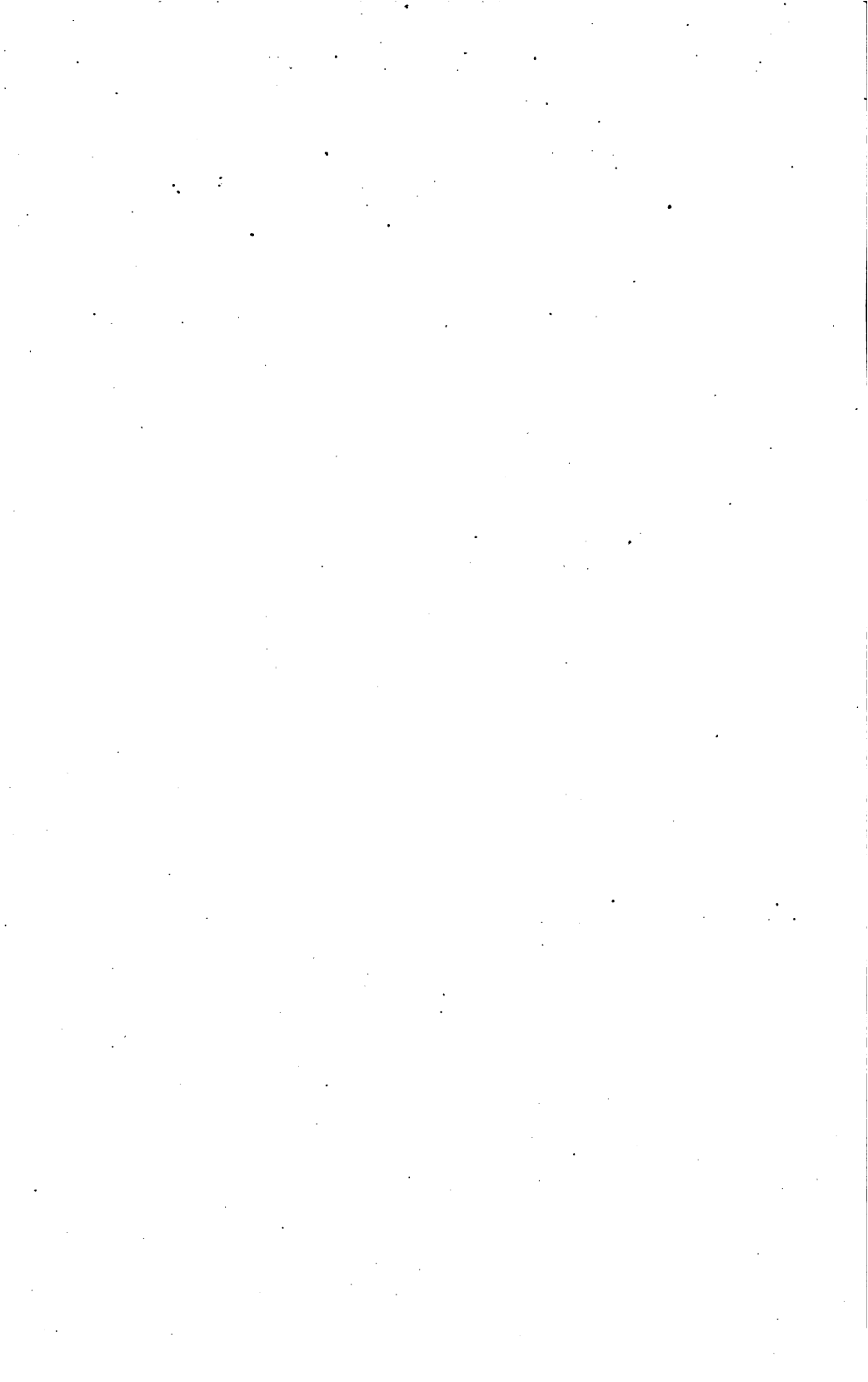
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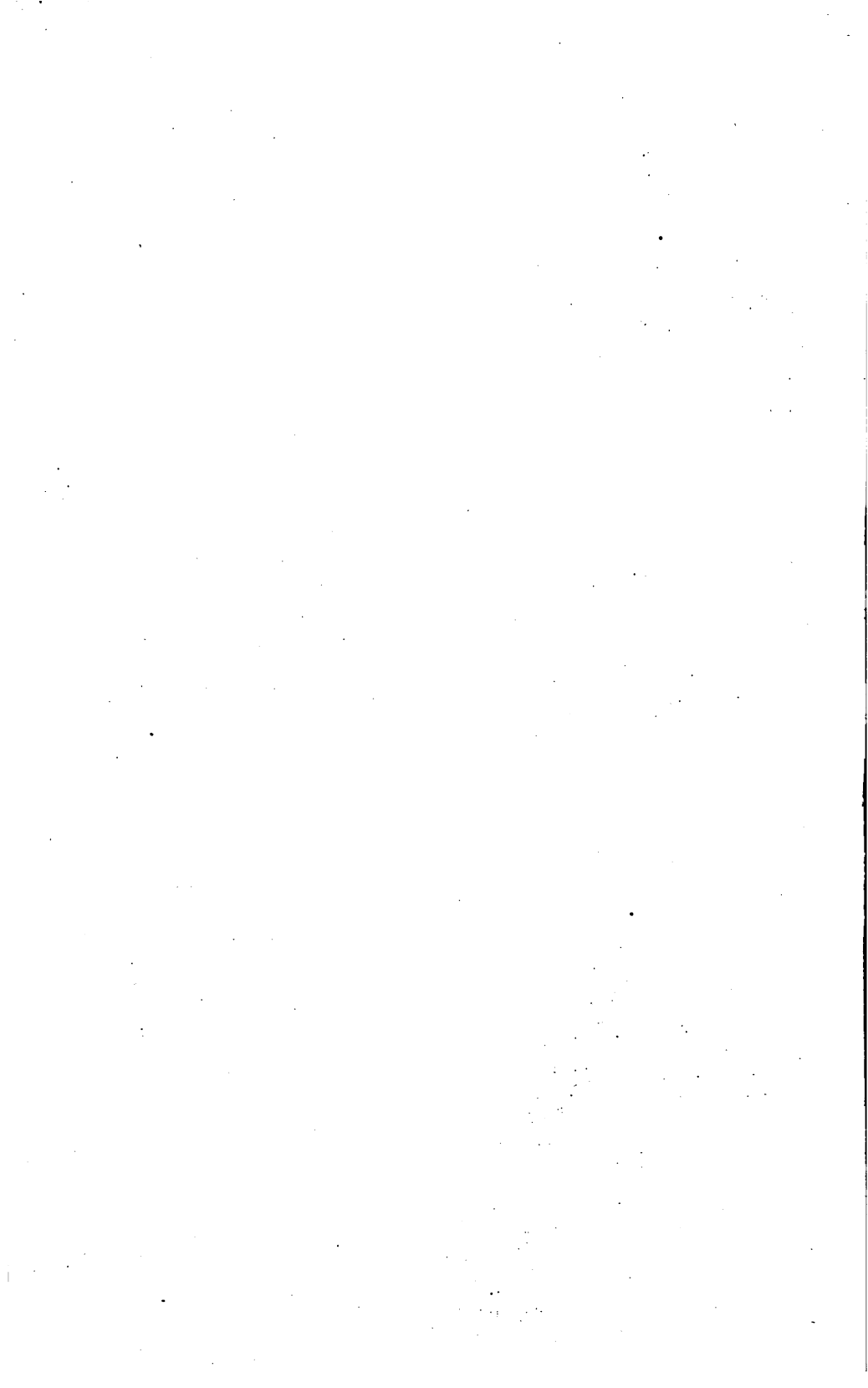
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